5th Closed

GOVERNMENT INFORMATION CENTER
SAN FRANCISCO PUBLIC LIBRARY
CIVIC CENTER
SAN FRANCISCO, CALIFORNIA 94102

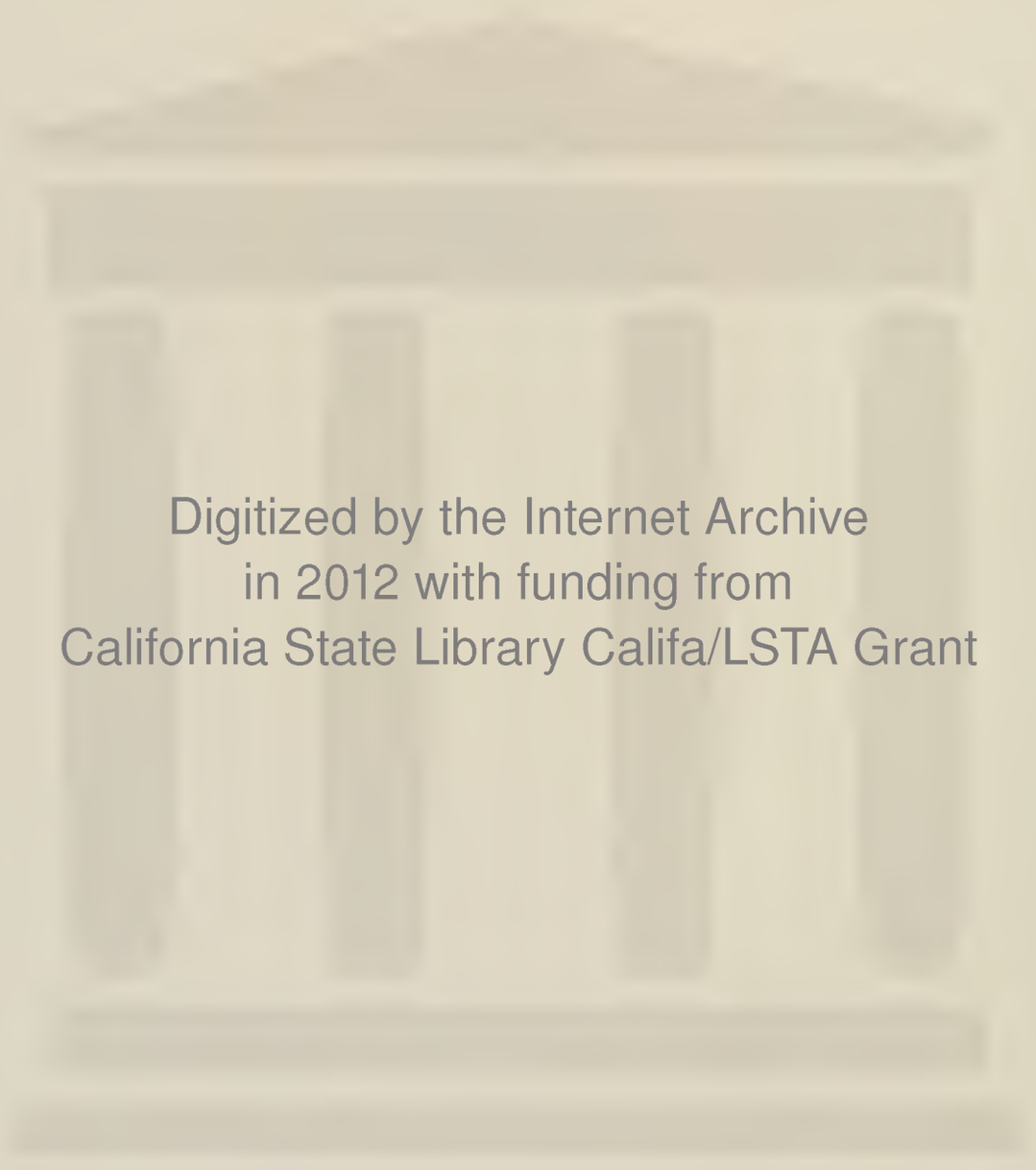
SAN FRANCISCO
PUBLIC LIBRARY

REFERENCE
BOOK

Not to be taken from the Library

APR - 9 2001

SAN FRANCISCO PUBLIC LIBRARY
3 1223 04590 8283



Digitized by the Internet Archive
in 2012 with funding from
California State Library Califa/LSTA Grant

http://archive.org/details/minutesofmeeting1982huma

F
.80
2
14-82

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, January 14, 1982
Joe Jung's Restaurant Banquet Room
891 Market Street

****
* NEXT MEETING *
* *
* DATE: Thursday, January 28, 1982 *
* TIME: 10:15 A.M. *
* PLACE: Main Library Civic Center *
* Commission Room *
* Third Floor *
****

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners

Present: John C. Morrissey (presiding), Samuel Chung, Robert D. Edwards, Antonio Grafilo, Phyllis Lyon (who presid until Chairperson Morrissey's arrival at approximately 10 AM), Joan Zamora Moulton, Clemente Obregón, Richard Sevilla, Esta Soler, Brenda K. Wade, Rabbi Martin Weiner, David K. Yamakawa.
Commissioner Joe Jung, attending his first meeting since his appointment December 15, 1981 replacing Commissioner Pius S.C. Lee, was welcomed officially and made a brief statement expressing his anticipation of working with the HRC on issues of common social concern.

Excused: Thomas Ambrogi

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Linell Harden, Stanley Lim, Joe Meza, Richard Norton, Mary Gin Starkweather, Gail Roberts, Essie Thomas, Jackie Winnow, Julie Yim.

Ms. Sandra Crumpler, Principal Administrative Analyst, San Francisco International Airport, was introduced. She will be working with HRC staff implementing the Affirmative Action program at the Airport.

Pledge of Allegiance

Minutes of December 10, 1981 approved.

COMMUNICATIONS

- From Hiram E. Smith, Executive Director, San Francisco Neighborhood Legal Assistance Foundation, a copy of a form notice of the reductions in staff and office locations for SFNLAF beginning January 1, 1982 as a result of the Reagan Administration budget cuts. Offices in Chinatown, Hunters Point, the Mission, and the Western Addition are being closed in January. Services will be provided for neighborhoods only at the Main Office, 870 Market, 11th Floor.

Director Mickins expressed the regret of the HRC and many other social agencies in the City which, for the years of the SFNLAF's work, have found them an important resource in providing legal and other counsel and assistance to poor and disadvantaged people.

3 1223 04590 8283

- Commissioner Obregon stated that the NLAF corporation conferred with President Reagan regarding these cuts on December 31, 1981, and that there is a hold on the distribution of funding to local offices until a re-evaluation has been made.
- To Robert E. Trefry, Executive Vice-President, CHAD, from Stanley Lim, CHAD campaign chairperson for the HRC staff, transmitting HRC contributions of $275 for the 1981 campaign.

- From Roger Boas, Chief Administrative Officer, a copy of a letter to Gilbert H. Boreman, Clerk of the Board of Supervisors, informing that the HRC is being asked to respond to questions concerning the Minority Business Enterprise status and certification process for a contract under the Southwest Ocean Outfall Project.

- From Mayor Dianne Feinstein, a copy of a Memorandum sent all Department Heads and Budget Officers regarding Budget Increments for 1982-83 and schedules for the beginning budget process.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, a copy of notice to all departments and agencies regarding the filing of Revised Forms 730, Annual Statement of Economic Interest for Designated Employees, and use of Revised Instruction Manual for same.

- From Al Borvice, Executive Director, Housing Development & Neighborhood Preservation Corporation, La Raza En Accion Local (a coalition of Spanish-speaking non-profit community organizations) requesting continued HRC support for the Affirmative Action program at the San Francisco Department of Public Health.

- From Harold T. Yee, President, Chinese American Democratic Club, Inc., announcing to Director Mickins the annual Chinese New Year Banquet February 6 in the Grand Ballroom of the Empress of China restaurant.

- From Samuel A. Norman, Attorney at Law, representing Dagon Divers, Inc., a copy of a letter to City Attorney George Agnost protesting award of a marine inspections contract to Forbes Diving.

DIRECTOR'S REPORT

- Role-Model Image Speech Program for Juveniles.

Judge Harry W. Low, Presiding Judge of the Juvenile Court, asked the HRC some weeks ago to initiate a program for juveniles at the Youth Guidance (many of whom are minority group members) that would bring before them minority group members serving in various private and public-sector positions of prominence, in order to present positive role-models for the juveniles.

Director Mickins asked Essie Thomas, HRC staff for its Youth & Education Committee, to design such a program and the first session was held on Tuesday, January 12 at the Youth Guidance Center. Judge Low, Mr. Mickins, Commissioner Jule Anderson of the Board of Education, and Ivan Cook, and Manager of Community Development of VIACOM cable television company, addressed some 100 young people. The speakers were very well-received, Mr. Mickins reported, and the program will continue every other Tuesday (from 3 to 4 P.M.) throughout the year. Members of the HRC may be called upon to appear on these programs.

- HRC Budget 1982-1983

Director Mickins and staff are in the beginning process of drawing up an HRC budget for the next fiscal year, according to procedures given by City Hall. Present indications, Mr. Mickins said, are that the HRC can expect funding at approximately the same level as for the current fiscal year.

- HRC Office & Procedure Manual.

Bound copies of the HRC's Office Manual, containing three sections (Office Procedures, Professional Staffing Procedures, and Rules and Regulations/Ordinances,Policies) were distributed to the HRC and they are being given to each member of the HRC staff.

6 45253 SFPL: ECONO JRS
50 SFPL 03/16/01 61

Office staff who worked on the Office Manual were Gail Roberts, who assembled some of the materials, Jack Casford, who wrote new sections as required, and compiled, updated, and organized the contents, and Pauline Anderson, who typed the final draft for reproduction and assembly.

Director Hickins went through this Manual in some detail, praising it for containing under one cover vital information for all Commissioners and staff in carrying out the work of the HRC. The Manual is in a looseleaf binder in order to facilitate changing and/or eliminating or replacing various documents or portions.

- HRC Appeal Procedures.

The HRC is looking into making some changes in the Appeal Procedures that now apply, particularly the present requirement that eight members of the HRC are necessary in order to hold a formal hearing on an appeal from a Director's Finding.

STANDING COMMITTEES
EMPLOYMENT
David K. Yamakawa Jr., Chairperson

- 1982 Revision of the Human Rights Commission - Affirmative Action Program for Construction Contracts - Stanley Lim, HRC Contract Compliance Officer.

Commissioners had been provided in advance copies of this 13-page document (plus four attachments), which was adopted formally by the HRC Employment Committee October 1981, and which was the result of more than five months (since May of 1981) of research and discussion by its Subcommittee for the Revision of the HRC's Affirmative Action Program for Construction Contracts. The main work was done June through September of 1981.

Mr. Lim read the names of the members of the Subcommittee in recognition of their service to this task: Chairperson Barbara Thompson (who was present at this HRC meeting), Edmundo Anchondo, Ritchey Gore (also present), Garrette Jackson, Rich Hikelson, Lewis Nelson, John Scott, Bart Dickson, and Eleanor Yaranon. James Field, George Newkirk, and Billy Wilson also contributed to the work of the Subcommittee.

Mr. Lim cited a number of procedures followed by the Subcommittee, including:

- a complete review in detail of the then-current HRC Affirmative Action Program in Construction Contracts.

- a survey of minority membership of trade unions, with questionnaires sent to 18 unions and replies received from 6.

- use of this survey to determine trade job participation goals.

- study of previous HRC staff statistics of the actual attainments of participation of women and minorities in trade jobs.

The first draft of the 1982 revision was presented to the Employment Committee October 1, 1981, recommendations coming out of that presentation were incorporated, and the final, second draft resulted, as was presented on this date for HRC consideration for adoption.

Mr. Lim then painstakingly reviewed the revision document page by page, noting those sections underlined in red, which represented re-wordings or additions, and noting as well those parts that had been deleted and why.

Mr. Lim noted that the factors used in setting the employment goals for participation by minorities and women (percentage of workforce figures) listed for each trade by name, e.g., bricklayers, carpenters, cement masons, electrical workers, etc. included: the population statistics of the San Francisco area, the working population, the union membership makeup, the actual current participation by women and minorities in trade jobs, and the expected natural growth, of women/minority participation. He said that setting these goals occupied virtually all the work of three separate meetings of the Subcommittee. In two trades (carpet/soft tile workers, and electrical workers), goal percentages were lowered from 33% to 23-28% as more realistic. The terrazzzo mechanics goals

also was lowered from 40-42% to 26-31%.

Some trades, no longer active, were removed from these goals lists, (boilermakers, asbestos workers, and mill workers), with the provision that, should they become active again, the HRC may establish goals for them.

The percentages quoted above refer to minority participation in the trades. Participation for women in all trades listed was set at 7-9%. This level had been accepted by the Employment Committee for inclusion in the complete Affirmative Action program in May of 1981.

There were suggestions from various Commissioners on matters of details, such as whether or not to include all the dates of revisions of the program on workforce commitment agreements, or the like. Somewhat longer discussion revolved around the definition of "Disabled Individual", with eventual failure of a motion to eliminate some wording, in order that HRC wording be consistent with that used in federal and State guidelines. Ms. Mary Gin Starkweather of the HRC staff said that the wording was taken directly from that in Section 503 of the federal Rehabilitation Act of 1973.

A motion that any person owning 51% of an MBE-WBE (Minority/Woman Business Enterprise) should also hold the license to operate from the state was defeated after much discussion.

It was pointed out that 90% of the women-owned businesses now recognized by the HRC are not licensed to the present women operators, many of whom inherited businesses from spouses or other family members.

There was considerable discussion over the revision additions to Paragraph 9. under Part III, Minority Business Enterprise/Women Business Enterprise Program. Paragraph 9 states that "MBE or WBE ownership and control must be beyond the proforma ownership as reflected in the owner's legal documents. Among the factors which will be used in making the determination are whether the minority or woman:" Then it lists eight factors. Much debate ranged over in particular two of these "factors", one stating that the minority or woman "...must contribute significantly his or her technical skills or mechanical knowledge toward the company's line of work," and another stating that the "MBE or WBE must maintain a permanent business facility." At one point a motion was introduced to eliminate these two factors, but it was defeated.

After much discussion, a number of Commissioners (Weiner, Grafilo, and Lyon) urged that the HRC adopt the revision document as it had come from months of Subcommittee research and work, and on recommendation of the full Employment Committee.

Only one minor change in the document was made by the action of the HRC at this meeting:

Initiated by Commissioner Chung, it was

*** m/s/c that Affidavit HRC Forms No. 3 and No. 4 (MBE or WBE Certification) read "...must be submitted NOT LATER THAN 5 p.m. of the fifth business day following bid opening, unless an extension of time is granted by the Awarding Agency and/or (instead of "or") the HRC."

At the conclusion of the discussion, there was much debate over the definition of "Hispanic" (under "Minority") in the document, initiated by Commissioner Moulton, who wished references to "other Spanish culture or origin" or "Spanish origin, descent, or culture" deleted. Supportive comments were made by Commissioners Obregon and Sevilla to Commissioner Moulton's position. Members of the Subcommittee present, HRC staff, and Director Mickins emphasized that the wording in the revision had been made consistent with federal and State wordings, that the wording had been under extensive study for some months before it was adopted in June 1980 by the full committee, and that it had been understood that it had been resolved.

Commissioner Moulton's motion to make the above-cited deletions was defeated. She and Commissioner Obregon asked that their "Aye" votes be recorded.

Commissioner Morrissey stated that he wished the record to show that he continues to believe (as regards the HRC's MBE/WBE qualification policy) that the HRC's jurisdiction does not make it the agency to encourage small enterprise as such, and that (he believes) that the HRC's MBE designation should inlcude large minority businesses. (Note: the HRC sets average gross annual receipts limits for an MBE to qualify as such for the MBE/WBE Program.)

It was then,

**** m/s/c that the HRC adopt the revisions to the Human Rights Commission-Affirmative Action Program for Construction Contracts, effective January 1, 1982. Commissioner Moulton and Obregón asked thattheir "No" votes be recorded.

REPORT OF THE NOMINATING COMMITTEE

- Chairperson Yamakawa and Committee members Commissioners Grafilo and Lyon were named by Chairperson Morrissey to this Committee in December, 1981.

Commissioner Lyon was nominated as Chairperson for 1982, and Commissioner Obregón as Vice-Chairperson, and they were elected by acclamation.

Chairperson Lyon then took the gavel, thanked the Commissioners, paid tribute to her predecessor, Commissioner Morrissey, and presided for the rest of the meeting.

It was

**** m/s/c that the HRC formally write a commendation to Commissioner Morrissey for his exemplary service as Chairperson of the HRC for two terms.

Office of Revenue Sharing Corpliance Agreement - Status Report-Frank Anderson.

This report was postponed to the next regular HRC meeting January 28.

GAY ADVISORY
Phyllis Lyon, Chairperson

- Committee Report postponed to the next regular HRC meeting January 28.

YOUTH AND EDUCATION
Rabbi Martin Weiner, Chairperson

- Committee Report postponed to the next regular HRC meeting January 28.

OLD MATTERS

- Chairperson Lyon referred to the Employment Committee continuing discussion of the concerns of Commissioners Moulton, Obregón, and Sevilla over the wording of the definition of "Hispanic" under the 1982 revised HRC Affirmative Action program in Construction Contracts. Director Mickins said Commissioner Moulton and other Commissioners would receive a special notice when the Committee will hold these discussions.

NEW MATTERS

- Mayoral Meeting with Heads of City Commissions.

Commissioner Morrissey attended a meeting called by the Mayor with the heads of all City commissions on January 13.

The meeting will be followed by other such meetings with the Mayor, Commissioner Morrissey reported, and at this first one they heard reports from the chairpersons of the Fire, Civil Service, and Planning Commissions.

They also heard discussion of a proposal by the Port Commission that traffic lanes be provided separately for truck and other commercial traffic on the Bay Bridge. And the Mayor urged that chairpersons and members of City commissions attend official ceremonials and public occasions called by the Mayor's Office.

- Draft Resolution Concerning State Senator John Schmitz's Recent Defamatory Remarks Against Women, Lesbians, and Jews.

Copies of this draft resolution and proposed transmittal cover letter to State Senator David Roberti were distributed to the members of the HRC, who

**** voted to consider this matter, which had not been discussed before at the HRC, but had come on recommendation of the Gay Advisory Committee.

State Senator John Schmitz was quoted as making statements derogatory to women, Lesbians, and Jews at a public hearing December 22, 1981, and this fact and reaction to it received considerable statewide publicity and comment. Senator Schmitz later released a statement with the same derogatory remarks.

The proposed Resolution was read in full, and it was

**** m/s/c (unanimously) that it be adopted. The full text is attached to these Minutes.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, January 28, at [illegible] A.M. in the Third Floor Commission Room of the Main Library.

- Lathrop Appeal Hearing Meeting.

This meeting was set for Friday, January 22, at 8:30 A.M. at Congregation Sherith Israel.

- Jack Casford will provide all Commissioners with the scheduling for the HRC's regular meetings for the next six months of 1982.

- Visit by Mayor.

Mayor Feinstein was forced to cancel a scheduled visit to address the HRC at this meeting. She will appear before the HRC at its February 11 regular meeting instead.

STANDING COMMITTEES

Employment	Thursday, February 4, 1982 9:30 A.M. 1850 Mission Street
Gay Advisory	Tuesday, January 19, 1982 and February 16, 1982 Noon, Main Library, Third Floor, Commission Room
Housing & Urban Development	To be announced
Police Liaison/Social Issues	To be announced
Youth & Education	Tuesday, January 19, 1982 3:15 P.M., John Adams Community College Center 1860 Hayes Street, Room 136

Adjournment.

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:sa
1-21-82

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

HUMAN RIGHTS COMMISSION

RESOLUTION

RESOLUTION CONCERNING STATE SENATOR JOHN SCHMITZ'S RECENT DEFAMATORY REMARKS AGAINST WOMEN, LESBIANS AND JEWS

WHEREAS, the Human Rights Commission has historically condemned prejudice and hatred prepetrated in society and particularly by public officials; and

WHEREAS, the Human Rights Commission understands that when a public office holder voices hatred, prejudice, and bigotry, this allows for the approval of such behavior in the general public and lends to a climate of violence against persons so defamed; and

WHEREAS, the Human Rights Commission believes that such conduct by a public official should not go on without firm and direct action and that this action be of a bi-partisan nature as such hatred has no place in the public offices of the State of California; and

WHEREAS, State Senator John Schmitz, in a vitriolic statement dated December 22, 1981, attacked women, Lesbians, and Jews:

NOW, THEREFORE, BE IT RESOLVED, that the Human Rights Commission strongly condemn State Senator Schmitz's remarks as anti-Jewish, anti-woman, and anti-Lesbian and find them deplorable as well as divisive; and

BE IT FURTHER RESOLVED, that the Human Rights Commission praise Senate President Pro Tem David Roberti and the decision of the Senate Rules Committee to remove Senator Schmitz from his positions of chairperson of the Senate Constitutional Amendments Committee, vice-chairperson of the Senate Industrial Relations Committee, and as a Senate representative on the State Commission on the Status of Women; and

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

BE IT FINALLY RESOLVED that the Human Rights Commission strongly supports a censure resolution against State Senator John Schmitz rather than the lesser rebuke of reprimand.

Resolution 1-82
Adopted by HRC 1-14-82

JW:sa

1-15-82

DOCUMENTS DEPT.
1982
SAN FRANCISCO
PUBLIC LIBRARY

SF
SO
2
28/82

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, January 28, 1982
Commission Room, Main Library

****
*
* NEXT MEETING
*
* Date: Thursday, February 11, 1982
* Time: 10:15 A.M.
* Place: Third Floor, Commission Room
* Main Library, Civic Center
****

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners

Present: Phyllis Lyon (presiding), Robert Edwards, Antonio Grafilo, Joe Jung, John Morrissey, Joan Zamora Moulton, Clemente Obregón, Richard Sevilla, Brenda Wade, Rabbi Martin Weiner.

Excused: Thomas Ambrogi, Lia Belli, Samuel Chung, Esta Soler, David Yamakawa.

Staff:

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Linell Harden, Stanley Lim, Joe Meza, Richard Norton, Gail Roberts, Lydia San Filippo, Essie Thomas, Jackie Winnow.

Pledge of Allegiance

Minutes of January 14, 1982. The page headings were misprinted as January 7 rather than January 14.

COMMUNICATIONS

- From U.S. Representative John Conyers, providing information on the status of debate in Congress on extension of the Voting Rights Act, currently before a Senate committee. The HRC in 1981 voted to urge extension for the Voting Rights Act, which is due to expire next August.

- From J. Edward Marshall, Attorney at Law, representing Bayview Towing Association re: Contract Proposal No. 243-Towing of Abandoned Vehicles.

Director Mickins read this letter in full (the HRC received a copy of the original letter to Chief Administrative Officer Roger Boas) which protests not having been awarded a five-year duration City contract for towing services. Bayview Towing Association is a Minority Business Enterprise. Mr. Mickins gave a brief report to the commissioners on some of the concern to the HRC vis à vis the office of the City Purchaser. To date, there is still an absence of a committment to an MBE program within the City Purchasers office, the Bayview Towing contract would be the largest successful bidder but that contract has yet to be awarded after nearly three months.

Mr. Mickins said that lack of MBE participation in purchasing continues to be a major concern, however, and that the HRC may have to take a stronger position in internal policy.

- From Mayor Dianne Feinstein, a Memorandum to all Commission Chairs, Departments Heads, Business/Finance Managers of January 15, 1982 regarding lease, lease-back and tax title transfers under the 1981 Revenue Act, and informing that her office has asked a consortium of the Bank of America and Coopers & Lybrand to make a proposal to the City to act as the City's investment advisers in the areas of revenue-generating ideas through provisions in the 1981 Revenue Act.

- From Supervisor Nancy G. Walker, to then-Chairperson Morrissey, inquiring about implementation of the Sexual Harassment Ordinance No. 521.81 passed by the Board of Supervisors October 19, 1981. The Supervisor asked for an HRC assessment of what has been done to implement the Ordinance, which grew out of research work and formal adoption by the HRC of a Sexual Harassment prohibition policy and recommendation for adoption by the Civil Service Commission and then the Board of Supervisors in 1981.

*****This letter was read in full. Mr. Mickins said the HRC is preparing a formal response, and such action was suggested formally by Commissioner Morrissey, to Supervisor Walker's concerns about implementation by City departments, boards, and commissions.

Director Mickins commented that as far as the HRC can ascertain at this point, virtually nothing has been done to implement this ordinance. The HRC is on record as having agreed to work with the Civil Service Commission in seeing that all management and supervisor personnel in the City workforce be made aware of the coverage of the amendment to the San Francisco Administrative Code by adding Section 16.9-25 Relating to Sexual Harassment of City Employees. It appears, Mr. Mickins said, that sexual harassment complaints made to the Civil Service Commission are being referred back to the departments in which they originated, which was not the intent of the ordinance, which proscribed their resolution through the CSC complaint procedure.

- From Assemblyman Art Agnos, a form letter requesting support for Assembly Bill 350, which passed the State Assembly in the last Session, but must now win passage in the State Senate and be signed by the Governor. AB 350 would establish a permanent absentee ballot program for persons 65 years of age or older as well as for persons with mobility and transportation disabilities.

****Commissioner Moulton asked that this be a concern of the Police Liaison/ Social Issues Committee.

- From James H. Johnson, Executive Director, Mayor's Office of Housing and Community Development, enclosing a copy of the U. S. Department of Housing and Urban Development's report on the Fair Housing and Equal Opportunity monitoring team's visit conducted in August of 1981. Mr. Johnson noted that the City's excellent record ("outstanding accomplishments in affirmative action and equal opportunity") is, in his words, "...in large measure, a result of the Human Rights Commission's efforts in contract compliance.

Appended to Mr. Johnson's letter was a commendation specifically naming Stanley Lim and Linell Harden of the HRC contract compliance staff for their work and efforts.

- From William Whalen, Executive Director, San Francisco Planning and Urban Research Association (SPUR), thanking Mr. Mickins for meeting with him, and expressing the desire of SPUR to work with the HRC.

From Sara T. Campos, Community Relations Specialist, Mexican American Legal Defense and Educational Fund (MALDEF), enclosing a list of participants in the MALDEF Leadership Development and Advocacy Program, funded by the San Francisco Foundation, and aimed at redressing the problem of underrepresentation of Latines on policy-making boards and commissions. Several of these participants, she said, have expressed an interest in service on the standing committees of the HRC.

- Commissioners Moulton and Sevilla requested copies of the Leadership Development and Advocacy Program participants, and staff and chairpersons for each Standing Committee will also be provided this information.

- From Henry E. Reynolds, Division Administrator, Boys' and Girls' Center, Juvenile Court (Youth Guidance Center) congratulating the HRC and expressing appreciation for the minority role-image speakers' program the HRC initiated at the request of Presiding Judge Harry W. Low of the Superior Court. The first session was held for youths at the Center on January 12 (and reported in the HRC Minutes for January 14). The second was set for the day of this HRC meeting, January 28. Joseph Meza from the HRC staff, and Elisa Miranda and Roberto Hernandez formerly of the Real Alternatives Program (RAP) were to be the speakers.

- From David Roberti, President Pro Tempore, State Senate, enclosing a copy of Senate Resolution 29 (passed January 27) which officially deplores the statements made December 22, 1981 and distributed in printed form by Senator John G. Schmitz, as Chairperson of the Senate Committee on Constitutional Amendments, derogatory to women, Lesbians and Jews. The HRC adopted a formal Resolution January 14, 1982, strongly condemning Senator Schmitz's remarks. Senator Roberti also removed Senator Schmitz as Chairperson of the Senate Constitutional Amendments,Committee and as a member of the Commission on the Status of Women.

- From Cleve Jones, Administrative Assistant to Assemblyman Art Agnos, enclosing the statement of Assemblyman Agnos on the subject of Senator Schmitz.

- From Willie Lewis Brown, Jr., Speaker of the Assembly, a form letter discussing a proposed constitutional amendment pending in the State Assembly which would alter the composition and procedures of the Commission on Judicial Appointments. This is ACA 49, which would expand the composition of the Commission to include, along with the Chief Justice, the Attorney General, and an Appellate Court Justice, two active justices of the Court of Appeal, two members of the State Bar, and three public members.

DIRECTOR'S REPORT

- General Report.

-Work proceeds on preparing the ad valorem budget request by the HRC for fiscal 1982-83. The Administrative Committee will be asked to review its final draft before submission.
-
- Interviews are being conducted with applicants (more than 20) for one Limited Tenure position as Affirmative Action Officer and two part-time Housing Specialists under the Office of Community Development grant to the HRC. Director Mickins and Don Hesse, HRC Fair Housing Coordinator, have been conducting these interviews.

***Commissioner Morrissey requested that the Director provide an overview report to the HRC on his and staff's perceptions of the currently most significant problems in the City in the field of human rights that the HRC could be addressing.

- The week of February 1-5, Mr. Mickins,will join other City Department heads in a training seminar on "Managing Motivation for High Performance". This is the being sponsored by the Mayor's Office.

- Director Mickins announced that Mayor Feinstein's Office has informed him that she will attend the HRC regular meeting February 11. Her scheduled visit January 14 had to be cancelled.

REPORT BY THE CHAIRPERSON

- Chairperson Lyon stated she still is working on assignments to the Standing Committees, and solicited the requests for assignment from those Commissioners she has not yet been able to contact. She said she is favoring appointing co-chairpersons for more committee direction flexibility. She underlined the importance of the Standing Committee system of the HRC, of regular attendance, of the need for regular meetings, and of Commissioner recognition that much work in research and backgrounding and discussion takes place at that level

before coming in the form of reports or recommended actions to the full HRC.

The HRC will continue to meet in the Commission Room of the Main Library and convene promptly at 10:15 A.M.

STANDING COMMITTEES
YOUTH AND EDUCATION
Rabbi Martin Weiner, Chairperson

- Committee Report

1. At the December 15, 1981 meeting, Mary Gin Starkweather, HRC Employment Representative reproted on her attendance at a conference called "Putting the Pieces Together", covering San Francisco services to homeless, runaway, and status offender youth.

The Committee wrote a formal letter of commendation to the Board of Supervisors for its action in adopting a resolution August 31, 1981 to develop a plan for improving these services.

2. At the January 19 meeting, Dr. Margaret C. Penn, Project Head, Emergency School Aid Act (ESAA), San Francisco Unified School District; Victor Rossi, Coordinator, Special Funded Projects, SFUSD; and Paul Gross, Chair, Sexual Minority Youth Service Coalition, Youth Advocacy Project, participated in a detailed discussion of the current status of racial segregation among students in the District schools, and a description of the efforts under the federal ESAA program to promote racial/ethnic understanding, awareness, and acceptance among District students.

Programs exist currently under federal funding at Potrero, George Washington and Balboa schools.

Gail Roberts, of the HRC staff, gave a review of the current status of programs under both the Emergency School Aid Act (ESAA) and the Emergency School Assistance Program (ESAP), and the conerns about the announced Reagan Administration plans to lump some 40 to 50 programs together under block-grant status, and to then require the states to decide how the funding (which will be considerably reduced) shall be distributed.

Ms. Roberts said that the federal authorities tend to view minority populations as largely Black/White, putting San Francisco, with an 87% Nonwhite school population of a number of different racial/ethnic groups, at a disadvantage. No school in San Francisco (under the Superintendent's Redesign Plan adopted a few years ago) can contain more than 45% of any one ethnic group. At George Washington High School, to show the diversity, some 13 ethnic groups are part of an International Club under a program called School Human Environmental Assessment Group (SHEAG).

Copies of a proposed letter to the President of the San Francisco Board of Education, Ms. Rosario Anaya, urging that the Board develop guidelines to ensure the continuation of ESAA programs as described be continued within the federal block grant, were provided.

It was

***m/s/c that the HRC authorize the sending of this letter to Ms. Anaya. The full text is attached to these Minutes.

- Commissioner Moulton was asked to bring her concern about plans for Police/Community School Patrols to the Youth & Education Committee.

EMPLOYMENT
David K. Yamakawa Jr., Chairperson

- Office of Revenue Sharing Compliance Agreement - Status Report-
Frank Anderson, ORS Coordinator for the HRC.

Mr. Anderson had distributed copies of his detailed narrative report, with attachments, to the HRC in advance of his presentation, which had been originally scheduled for the HRC meeting of January 14.

He reviewed the background of the ORS Agreement (this was the third status report he has made to the HRCO, which grew out of an Administrative Complaint filed against the City and County of San Francisco in 1978 by Latinos for Affirmative Action, a San Francisco-based advocacy group. They charged noncompliance with the local Fiscal Assistance Act of 1972 in the representation/participation of Hispanics in the City workforce. Federal investigators upheld the noncompliace charge in several areas. A Compliance Agreement was signed between ORS and the City in June of 1979, and the City agreed to a massive review and revamping of its selection and promotion procedures; to conduct intensified recruitment of Hispanic and other minority communities; and to make an effort to bring increased numbers of Hispanics and other minorities into the City workforce during the four years of the agreement.

The HRC was designated (by Ordinance 455-79) the monitoring City agency for departmental fulfillment of the ORC Agreement terms, and Mr. Anderson has directed this work. Forty-two City department affirmative action plans have been certified by the HRC for development and adoption.

The HRC role has included technical assistance to the departments, advice on policy matters relating to the ORS agreement, and liaison with community groups, the Offices of the City Attorney and Mayor, and the Civil Service Commission to encourage communication and program implementation.

Mr. Anderson said his current Status Report represents the status half-way through the four-year term of the Compliance Agreement. Technically and legally, he said, the City is in compliance. His narrative report covered specifically the reporting period January 1 through June 30, 1981. Details of the implementation covered combining the entrance and promotive examination system, the in-house grievance panel (on which the HRC serves), increased useage of performance exams and reduced reliance on written tests, the CSC report of the effects of the Rule of Three (employee) selection procedure, the City's outreach recruitment effort, the limination of sex-restrictive job titles, etc.

However, despite the compliance with the ORS agreement of the City technically and legally, the proportion of Hispanics, Mr. Anderson reported, is very low. An ongoing problem, despite the fact that the City has hired a large number of Hispanics, is that they have not remained in the workforce. The reasons are not yet known, but on December 1 there began a system of exit interviews with persons leaving City service to learn why they are doing so.

Between June 30, 1980, and June 30, 1981, Mr. Anderson's data shows, the number of Hispanics in permanent Cityjobs increased by only 109, from 962 (1980) to 1,071 (1981).

Mr. Anderson for the HRC presently is evaluating those City departments whose Affirmative Action plans have been under way for one year. He hope to conclude this work April 1, after meetings with department heads. He noted that hiring policies can be used to make the status of ethnic workforce participation deceptive, e.g., hiring large numbers of Hispanics on a temporary-requisition, short-term basis just before the CIty's ethnic survey of the workforce is done.

Mr. Anderson's report touched on problem areas identified by Washington representatives of the ORS Chief Counsel's Office in September of 1981. These included previously-cited low representation of Hispanics, recruitment, the need for visible commitment by management to the ORS goals, and the need for a uniform standard and procedure in the annual bilingual needs assessment.

Mr. Anderson's recommendations for additional efforts needed by the City included:

1. Removal of all artificial barriers in the employemnt process so it will be truly an open democratic system.
2. Assurance that only job-related and valid selection procedures are used.
3. Use of qualification requirements that measure the person for the job and which do not simply measure applicants in the abstract.

4. Use of aggressive affirmative recruitment programs to reach under-utilized persons,so they may gain employment, and

5. Provision of programs of upward mobility, including training programs, so employees will have an opportunity to overcome the effects of past discrimination and be able to compete for higher level positions.

Mr. Anderson also referred to the imminence of layoffs that will stem from federal cutbacks in social service programs. He cited the recent layoff of 125 workers at the Department of Social Services. Those in this group who had other permanent positions in the City Civil Service and thus had what is called "bumping" rights over persons without permanent status, also disaffect persons, like minorities and Hispanics, who with low seniority are unable to retain their jobs.

Despite his fears that the ORS Agreement might in effect polarize ethnic groups competing for employment opportunities, Mr. Anderson said this has not taken place.

There is an increase lately of persons requesting ethnic identification change. These requests are heard (on a case-by-case basis) and granted or refused by a panel on which Mr. Anderson serves.

Ethnic definitions, of course, play a large part in how these requested changes can be made, and the HRC's Employment Committee is going to consider its "Minority" definitions in its Affirmative Action Program for Construction Contracts as regards the "Hispanic" definition challenged by Commissioner Moulton at the HRC meeting January 14, with concerns shared by Commissiners Obregón and Sevilla.

Mr. Anderson said the City presently has 745 unfilled jobs, some because no requisitions have been made, some frozen because of budget cuts, etc.

Commissioner Lyon asked why there appeared to be a decrease in the numbers of women shown in the statistics, and Mr. Anderson said that the Rule of Three, in his opinion, by giving department heads the option of choosing from among the top three top finishers for Civil Service positions has contributed to this decrease. He said there evidently is a tapering off of sensitivity to the hiring of women, as feminist advocacy becomes less active.

Commissioner Morrissey asked how the public sector compares with the private in hiring performance, and Mr. Anderson said the latter was generally more responsive and making faster progress in part because of the complexity of the hiring, testing, qualifying and certification of employees in the City system. He noted, however, that the City has many positions that are unique to it, for which they test, and that the private sector often does not have these kinds of positions, e.g., probation officers.

After further discussion, it was

***m/s/c to accept the Office of Revenue Sharing Compliance Agreement Status Report.

- Office of Community Development-Funded Projects Monitored by the HRC from July 1, 1981 through September 30, 1981 - Linell Harden, HRC Affirmative Action Officer.

Mr. Harden presented the details of his quarterly report on his monitoring of 23 OCD contracts. These contracts totaled $6,242,968. Minority Business Enterprises and Women Business Enterprises (MBE/WBE) were awarded 28% of this amount or $1,722,462.50. Local prime contractors received $1,515,242 or 24%, and local MBE/WBEs were awarded $688,962, or 11%.

The minority employee participation on these projects was 49%.

The report, Mr. Harden said, reflects an increase (since the last report) in the amount awarded to local prime contractors, and a decrease in local MBE/WBE participation.

Tables with Mr. Harden's report showed OCD projects monitored for the reporting period by name, contract amount, name of general contractor, the name of the MBE, the ethnic identification, its location, the contract amount, and what percentage of the total contract that represented.

Also shown was a summary of MBE/WBE participation in these HRC-monitored projects, as well as the breakdown of the employee participation, the latter broken down by craft and classification, and ethnic identification.

Commissioner Lyon again noted that the report showed no participation by women. Mr. Harden responded that this is a problem area, in part explained by the fact that some of the contracting firms bring their own workforce to a job, and some of them consist of three or less persons. He said, however, that the report for the next quarter will show that women have a 6% participation rate in these OCD contracts. At present, there are no WBE goals for these projects and this deficiency will be addressed very soon. Stanley Lim noted that there are requirements for WBE participation on a contract-by-contract basis, but no standing overall goal.

It was at this point that Director Mickins read the commendatory letter from James Johnson of the Mayor's Office of Housing and Community Development regarding the HRC's "outstanding efforts in contract compliance". See Communications section of these Minutes.

GAY ADVISORY
Richard Sevilla, Chairperson

- Committee Report - Commissioner Sevilla.

A general discussion of the City Attorney's role in enforcement of Article 33 of the Municipal (Police) Code, which forbids discrimination on the basis of sexual orientation in housing, employment, and public accommodations was led, at the December 15 meeting of the Committee, by Paula Jessen, Deputy City Attorney, concerning what the City Attorney has done, is doing, and plans to de regarding that enforcement. Ms. Jessen reported that no complaints thus far had been received by the CA's Office. Complaints should be made in writing to that office. The discussion touched on City Attorney case-assignment policy, on educating the public to its right to complain to the City Attorney in cases of sexual orientation discrimination, and the HRC role in enforcement. The Committee did vote to disseminate a letter through the Lesbian and Gay press over Commissioner Lyon's signature informing the Lesbian/Gay community about rights in complaint cases and what are the various functions of the Gay Advisory Committee, the HRC, the District Attorney and the City Attorney's Office.

At the January 19 meeting, Jerel McCrary of the City Attorney's Office, gave a report on the law and public accommodations particularly concerning the Unruh Act. Mr. McCrary will present the report to HRC at a later date.

- A cocktail party will be given February 19 at 5:30 P.M. in honor of Chairperson Lyon and Commissiner Sevilla (the latter the new chair of the Gay Advisory Committee) at the home of Gail Roberts at 790 Pacheco.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, February 11, 1982, at 10:15 A.M. in the Third Floor Commission Room of the Main Library.

Mayor Feinstein is scheduled to be present at that February 11 meeting.

STANDING COMMITTEES

Employment	Thursday, February 4, 1982 9:30 A.M. 1350 Mission Street
Gay Advisory	Tuesday, February 16, 1982 Noon, Main Library, Third Floor Commission Room

Housing & Urban Development	To be announced
Police Liaison/Social Issues	Thursday, February 8, 1982 3:30 P.M. Room 509 HRC Offices
Youth & Education	Tuesday, February 16, 1982 3:15 P.M. John Adams Community College Center 1860 Hayes Street, Room 136

Adjournment

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:sa
2-2-82

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

Attachment #1

January 26, 1982

Ms. Rosario Anaya
President
Board of Education
135 Van Ness Avenue
San Francisco, California 94102

Dear Commissioner Anaya:

The Human Rights Commission, upon the recommendation of its Youth and Education Committee, voted, at it January 28, 1982 meeting, to express its concern regarding the necessity of including adequate support for ESAA (Emergency School Aid Act) Basic programs in the upcoming block grant funding.

The HRC views termination of ESAA work in reducing interracial tensions in San Francisco schools as detrimental to quality public education. By this, the Commission understands that the presence of interracial tension can undermine the effect teaching of basic skills and the resulting learning by our students. Furthermcre, through ESAA projects, curriculum and teaching techniques aim at the kind of cooperative learning that develop the fundamental problem solving process we highly regard in our democracy.

Dr. Margaret Penn and Mr. Victor Rossi, appearing at the January 19th Youth and Education Committee meeting, pointed out two outstanding examples of projects: the SHEAG programs in Potrero Hill Middle School and George Washington High School and the in-service training of 80 teachers at a two day workshop at Balboa High School. Shirley Thornton, the principal of Balboa, is to be commended in the development of the workshop and her initiative and creativity in attracting funding sources. The SHEAG project is unique because of its involvement of students, administrators, teachers, parents, and community persons in developing specific projects promoting positive interracial relations within each school. For example, Washington High founded an International club consisting of representatives from all of the uniethnic clubs in the school. See the enclosure.

The Committee was informed that evaluations would be forthcoming later in the Spring validating the positive impact of an interracially cooperative atmosphere on students' learning.

The Human Rights Commission is favorably impressed by the fundamental importance of the ESAA basic work in easing interracial tensions in San Francisco public schools. The HRC respectfully requests the Board of Education to instruct its staff to develop guidelines ensuring the continuation of ESAA's work within the block grant.

Sincerely,

Phyllis Lyon
Chairperson

PL:ET:pa
Encl/

cc: Commissioner Rabbi Martin S. Weiner, Chairperson, Youth & Education Committee
Commissioners, Board of Education

F
SO
2
11/82

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, February 11, 1982
Commission Room, Main Library

****
* NEXT MEETING *
* *
* DATE: Thursday, February 25, 1982 *
* TIME: 10:15 A.M. *
* PLACE: Third Floor Commission Room *
* Main Library, Civic Center *
****

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

DOCUMENTS DEPT.
MAR 1 1982
SAN FRANCISCO PUBLIC LIBRARY

Attendance

Commissioners

Present: Phyllis Lyon (presiding), Thomas Ambrogi, Samuel Chung, Robert Edwards, Joe Jung, John Morrissey, Richard Sevilla, Esta Soler, Brenda Wade, Rabbi Martin Weiner, David Yamakawa.

Excused: Antonio Grafilo, Joan Zamora Moulton, Clemente Obregón.

It was announced that Commissioner Lia Belli has resigned, via a letter to the Mayor.

- Chairperson Lyon and her fellow commissioners asked that a formal letter of appreciation be sent to Commissioner Belli for her services since 1979.

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Don Hesse, Stanley Lim, Joe Meza, Vicky Rathbone, Gail Roberts, Mary Gin Starkweather, Jackie Winnow.

Pledge of Allegiance

Minutes of January 28, 1982 adopted. Commissioner Morrissey commended Jack Casford on the quality of the Minutes.

COMMUNICATIONS

- From Michael F. Minchella, of Monteleone & McCrory, attorneys for Brucoto Engineering & Construction, Inc., a copy of a letter to the Airports Commission of San Francisco regarding a contract award dispute involving also the firm of Branaugh Excavating, Inc. Commissioner Morrissey asked for information on this dispute. Director Mickins briefly summarized the controversy centering over a low (of three bidders) bidder's clerical error in stating its Minority Business Enterprise commitment. The Airports Commission rejected the contract (No. 1504, Apron for Boarding Area D) of Branaugh Construction Company Inc. on February 9, although Mr. Mickins said he and Stanley Lim of the HRC had determined that the low bidder's bid had met the M.B.E. requirements and recommended it'sbeing approved and awarded by the Airports Commission. Mr. Mickins also stated that the HRC may be making some minor changes in the format of its Affirmative Action Program forms after consultation with the City Attorney.

- From Assemblyman Art Agnos, an invitation tc attend a Community Budget Forum on February 26 from 2-5PM in the auditorium of the State Building at 350 McAllister, one of four the Assemblyman is sponsoring to concentrate on the Governor's Budget proposal for 1982-83.

- From James H. Johnson, Executive Director, a copy of a letter to Jeffrey Lee, Director, City Department of Public Works, endorsing the HRC recommendations and Affirmative Action programs as applied to the Community Development Block Grant funded-projects.

- From Frederick S. Mayer, President, Pharmacists Planning Service, Inc., asking endorsement by the HRC of Senate (State) Bill 1426, that would "put cardiovascular/hypertension drugs on the Medi-Cal drug formulary." This letter was accompanied by endorsement letters. The bill would include in the Medi-Cal drug formulary "any drug approved for the treatment of cancer by the Federal Food and Drug Administration."

- From Samuel R. Pierce, Jr., U.S. Secretary of Housing and Urban Development, responding to a letter the HRC wrote President Reagan, at the request of the Mayor, expressing concern over the funding cuts proposed for housing and community development programs. Secretary Pierce's letter was read in full. It stated, in part, "There will, of course, be significant program changes, since neither the Department nor the Administration can justify the continuation of so many high cost subsidy programs," and, ... "HUD will work... to insure that available Federal funds are used effectively and efficiently to address the ... housing problems of...truly needy residents."

- From Claire Zvanski, Executive Director, Delinquency Prevention Commission, a copy of a letter to presiding Judge Harry Low of the Juvenile Court, suggesting that an evaluation questionnaire be distributed to youth attending the ongoing series of the Cultural Awareness Speaker Program (launched by the HRC in January, at Judge Low's suggestion).

DIRECTOR'S REPORT

- "Managing Motivation for High Performance" Workshop-

Director Nickins and a number of other City department heads and officials attended an intensive, week-long series of workshops the week of February 1-5, sponsored by the Mayor's Office, conducted by the Transamerica Corporation, and based on an extensive marketing and administration program developed by the company for use in its some 28 or 29 susidiaries. All City department heads eventually will take this program.

Mr. Nickins said he found the workshops rewarding and informative.

- HRC Budget for Fiscal 1982-83.

Work continues on preparation of the Budget, and Mr. Nickins said that preliminary indications are that the HRC should continue to recieve approximately the same City funding it has fiscal year 1981-82. Intra-departmental budget figures also are being compiled, since one-half of the HRC budget comes from funding under the Clean Water Program (Department of Public Works), the Airports Commission, the Moscone Center(with the present phase completed), the Commission on the Aging, and, most recently, the Port Commission, which has agreed to a minimal commitment for affirmative action monitoring. Mr. Nickins said also that the HRC recieves some $145,000 from the Office of Community Development for a Fair Housing Program and contract compliance work.

- The Administrative Committee will shortly be given a full presentation on the proposed Budget and it will then come before the full HRC for its action.

- Program Performance Assessment-Management by Objectives-A Six-Month Report for Fiscal 1981-82 - Gail Roberts.

Ms. Roberts provided copies of the Program Performance Assessment chart she submitted for the HRC to the Office of the Mayor covering the six months (July - December of 1981) the HRC was under the Financial Information & Resource Management (FIRM) program, initiated internally by the CIty and County in 1979. The HRC entered this program in July 1981. Commissioners also followed an HRC

Program Structure outline (adopted by the HRC's Administrative Committee October 30, 1980) during Ms. Roberts' presentation. It showed that the Board of Supervisors set a Major Service Area (Human Welfare and Neighborhood Development) and Community Goal (Social and Economic Well-Being) for the HRC, which then set up its internal program, with the overall goal set as "To eliminate discrimination, reduce intergroup tensions, and promote equal economic and educational opportunity." Five major activities,in conjunction with the Mayor's Office, were also established: Dispute Resolution, Fair Housing, Office of Revenue Sharing Compliance, Contract Compliance, plus Administration. Performance Assessments were reported for each of these five activities.

Ms. Roberts described the FIRM program purpose generally as to have management by objectives, i.e., to set concrete goals, and have them be tied in with the budget. Thus Corrective Action Plans can be adopted to decrease or increase performance as needed. Performance measures cover work output, efficiency, and effectiveness, against which actual performance is compared. Some of these measures, Ms. Roberts said, have been revised for the second quarter (as they are tied in to computer records). She said she has been told that the computer has been programmed to hold up paychecks for City employees if a departmental Program Performance Assessment report is overdue (the 15th of the month following the quarter).

Every professional member of the HRC, Ms. Roberts said, has, since January, 1980, been submitting internally a statistical and narrative report on his/her activities every month. This takes about half-a-day each month for each professional to complete. Ms. Roberts then compiles this data quarterly.

Staff currently is revising a set of objectives and performance measures for the next fiscal year, and they will come before the HRC for approval via the Administrative Committee.

Commissioner Sevilla suggested that Standing Committees of the HRC might profitably consider adopting similar objectives and goals and measures for their work. He said the Gay Advisory Committee is doing that now.

Commissioner Soler and Wade expressed concern about stated objectives to maintain the current participation level of minorities and women in business enterprise in City contracts showing on Ms. Roberts' documents and, noting that some other HRC reports have shown "slippage" in participation of women in City employment, asked if the HRC were not intending, rather than to maintain, to increase the participation of women.

Ms. Roberts said that at the time the goal to maintain was set, the status of the HRC budget was in question. This year, when its appears as if programs can be continued and even enhanced under the anticipated funding, the HRC will go into what she called "the optimum direction", i.e., to increase participation by minorities and women.

- Standing Committee Appointments.

Chairperson Lyon announced the following Standing Committee appointments for the HRC for the calendar year 1982:

Employment: Antonio Grafilo/Esta Soler-Co-Chairpersons
Thomas Ambrogi & Samuel H. Chung, members.

Gay Advisory: Richard Sevilla/David K. Yamakawa Jr. - Co-Chairpersons
Joe Jung, member.

Housing and Urban Development: Clemente Obregón/Samuel Chung-Co-Chairpersons ..
Joe Jung, member.

Police Liaison/Social Issues: Joan Zamora Moulton/Richard Sevilla,
Co-Chairpersons.
Robert Edwards, member.

Youth & Education: Brenda Wade/Rabbi Martin Weiner - Co-Chairpersons
John Morrissey, member.

Administrative: Vice-Chairperson (HRC) Obregón - Chairperson

STANDING COMMITTEES
Employment
David K. Yamakawa Jr., Chairperson

- Minority and Women Business Enterprises' Participation in City Construction Contracts, February, 1980 through September, 1981 - Stanley Lim, HRC Contract Compliance Officer.

Mr. Lim provided in advance copies of his extensive narrative and statistical report on the participation of Minority and Women Business Enterprises (MBE-WBE) in City contracts for the 18-month reporting period. This report had been given in detail to the HRC's Employment Committee in advance of this presentation to the full HRC.

Mr. Lim noted that although the MBE program at the HRC has been in operation a number of years, the WBE inclusion only began in June of 1980. This report, the third in the MBE/WBE series, is the first that includes organized WBE statistics. A separate report on MBE/WBE statistics on contracts awarded through the Public Utilities Commission had been made by its staff.

Highlights of Mr. Lim's presentation were:

- The nearly $50 million, or 18.2% awarded to more than 100 MBE/WBE firms (of the total $275 million in contracts let by the City for the 18-month period) is the largest dollar volume amount reported since the HRC MBE/WBE program began.

- The 18.2% is a 30% increase over the previous reporting period.
- The Clean Water Program (Department of Public Works) and the Airports Commission are the leading awarding agencies in the City government.
- Despite gloomy predictions about the construction industry, the City awarded $27 million more contracts than two years ago.
- MBE/WBE contractors continued to increase.
- Black contractors as a group received the highest amount, 60% of the total. Asian contractors replaced Hispanic contractors as the next highest group, with 20.7% to Asians, 13.3% to Hispanics. See later discussion on this latter figure.

- Comparisons of 1981 figures with 1977 showed that dramatic results have been achieved: The overall minority share went up from 11.9% in 1977 to 18% in 1981. The nearly $50 million MBE/WBE contract dollar amount for 1981 is 40% more than in 1979, and 500% higher than in 1977.
- American Indian and Alaskan Native contractors increased their participation ratio six-fold: from 0.7% in 1979 to 4.2% in 1981.
- The Hispanic contractors' share has declined since 1979, from 41% to 13% in 1981.

This fact caused considerable comment and discussion. Mr. Lim said that some Hispanic contractors who initially qualified as MBEs under the maximum gross annual receipts rule, had subsequently become so large that they no longer qualified as MBEs. He said that in fact if all the Hispanic contractors were still identified separately as such, the statistics for Hispanic participation would increase.

Commissioner Sevilla and others expressed concern about the drop in Hispanic MBE participation and asked if Mr. Lim could in the future report in detail on the trend, why it is taking place, and if it is indicative of the actual presence of discrimination against Hispanic-owned firms. Mr. Lim said discrimination aspects are done on a case-by-case basis.

It was stated that there needs to be much more outreach in locating and encouraging Hispanic MBEs to bid for City Contracts.

- - The HRC has in the past three years substantially exceeded the MBE goal set by the State Division of Water Quality on the Clean Water Program contracts. The San Francisco MBE-WBE participation total of is the highest in the State.
  - Though the Airports Commission is the second-largest (after the Clean Water Program) awarding agency in terms of contract dollar amounts, Mr. Lim said MBE participation has not been comparable to the Clean Water Program. There was a decline in 1981 in MBE participation from 1979: 11.6% as against 12.6%. Mr. Lim said the HRC will continue to

work to eliminate some of the difficulties in getting full MBE/WBE participation in Airports Commission contracts. Because of special funding from the Airports Commission, the HRC is now able to provide additional monitoring services, including the coverage of smaller contracts funded in part by the Federal Aviation Administration.

- - WBEs shown in Mr. Lim's report are five in number, and received $309,874, or 0.1% of the total contracts, and 0.6% of the MBE/WBE total. Mr. Lim said there were only some 40 WBEs in northern California. Efforts will be made to expand this participation.
- MBE complaints and investigations handled by the HRC focus largely round various "safeguards" in the HRC program to ensure that only "bona fide" MBEs and WBEs are eligible. Of 15 questionable cases, 13, in the reporting period, resulted in disqualification.
- In the coming year, the contract monitoring workload for the HRC compliance staff may well exceed the current level, based on the expectation of an increase in civic construction. The verification of bona fide MBEs/WBEs will continue, Mr. Lim said, to be the most demanding task for the HRC staff.
- Though reliable directories list more than 1,000 MBEs and 40 WBEs, only about 100 individual firms are covered in the report. This fact stimulated Commissioner discusssion of the urgent need for concerted outreach efforts to identify and encourage more MBE/WBE City contract bid participation.

Commissioner Morrissey reiterated his concern about the encouragement of the participation of MBE/WBEs as opposed to what he called the encouragement simply of small businesses. This was part of the discussion on the subject of those Hispanic contractors that have become too large (in terms of gross annual receipts) to qualify as MBEs.

Mr. Lim agreed with Commissioners Ambrogi,Lyon, and Sevilla in their expressed urging that there be more outreach to MBEs and WBEs, but said that the small HRC staff's monitoring workload is so heavy it cannot carry on an extensive outreach operation.

Director Mickins noted that on the federal level there continues a trend begun more than a year of cutting back or cutting off outreach programs. He cited those of the U.S. Departments of Labor and Commerce that are no longer operating, and said that the Apprenticeship Opportunities Foundation (which the HRC has been associated with for more than 15 years) will cease operations in April of this year, and that Women in Apprenticeship is closing down. He urged that the HRC and its Employment Committee address the need for intensive outreach and minority business development.

****It was m/s/c that the report on Minority and Women Enterprises Participation in City Construction Contracts, February, 1980-September, 1981 be accepted .

PRESENTATION BY MAYOR DIANNE FEINSTEIN

- The Mayor, making her first appearance before the HRC at a regular meeting, read in full from a formal letter written to Chairperson Phyllis Lyon and dated February 11. The text of this letter is attached to these Minutes.

The Mayor departed from her text a number of times to make these points:

- The HRC is reporting that 49% of the workforce participating in City contracts is composed of minorities and women, which is "very nearly exactly the City's 50% nonwhite proportion population."

- The fact that the addition of sex and sexual orientation in 1970 to the protected categories under the HRC's Administrative Code Chapter 12 A and 12B ordinances has not met with the kind of dissent that such action has in other cities in the U.S. "is a tribute to to The City That Knows How."

- The HRC's advocacy of the City's ban on discrimination against families with children (Fair Housing for Children ordinance Adopted 1975) has been reinforced by the recent State Supreme Court's ruling which bans discrimination in rental housing against families with children also.

- The HRC's traditional role in lessening intergroup tensions and mediation is especially vital in a City as diverse as San Francisco (racial, ethnic, cultural, religious, sexual orientation, etc.). The Mayor said, "It is my very strong belief that 99.9% of problems between people can be taken care through negotiation. If someone will listen, if someone will counsel, if someone will at times chide, push...sometimes you have to knock heads to get it done, but you've got to do it. I look today at this area being extremely important." The Mayor pointed to the possibility of tensions arising between resident and immigrant populations (saying some 500 refugees enter the City monthly) over housing and employment needs. And she said that it is important that there be a body (like the HRC) to counsel and mediate and "hold people in."

- The HRC has retained its credibility and sustained the trust and confidence of diverse communities in the City.

- The full participation of all Commissioners, as well as attendance at the necessary Commission committee meetings, the Mayor described as a matter of deep concern to her. "If members of this Commission find that they can't attend, or can't participate, I would really appreciate a resignation, because there are many people in this City who would like to serve on this Commission. Full attendance is really very critical...if somebody doesn't participate, you are denying that constituency that you represent.

The Mayor closed with a personal tribute to the hard work and cooperation of Director Grant Mickins "and his dedicated and hard-working staff."

The Mayor thanked the HRC members for their dedication, and said she would be delighted if in the future the HRC felt that she could help to participate in its meetings.

Chairperson Lyon expressed the thanks of the HRC to the Mayor for her past support of its work and objectives.

Following her formal presentation, the Mayor stayed on for discussion with the members of the HRC on several topics.

1. She asked if Director Mickins felt the Intergroup Clearinghouse is working as efficiently as it could. He replied that as of this past week, the Clearinghouse has been declared a private, nonprofit group legally, and that a contingency plan and proposal for funding by a private foundation will be presented to the Mayor shortly for her review. He said that in the approximately 18 months since its founding the Clearinghouse has accomplished a great deal and has defused several instances of intergroup tensions.

2. Commissioner Sevilla asked whether there has taken place or been planned a review of what contingency plan the City has to handle such civic disorder situations as took place recently after the 49er football championship, and a subsequent downtown-to-City-Hall parade proved difficult to control.

The Mayor responded that the City's Disaster Plan (under Phil Day of her Office) covers earthquake and fire possibilities. She said Mr. Day can be contacted about this plan.

As far as the 49er events, the Mayor said much planning went into preparations for the Monday, January 25 parade, but, she said, the numbers of people who turned out vastly exceeded maximum estimates (she said she thought 900,000 people). She listed among the needs she sees as a result of the events of January 25: training for sergeants in control of street officers; better badge-

number identification of officers; more street-crowd control barricades; more crowd-control training; the critical need for the use of bullhorns to disperse crowds and reduce panic-producing situations; and a reinforcement of the Police Department ban on using nightsticks on persons' heads.

In response to Commissioner Sevilla, the Mayor said no formal de-briefing of persons involved in law enforcement has been set, but that the Police Department is preparing a formal report on its activities. She said she would be pleased to talk with members of the HRC who wished to have input.

Commissioner Sevilla described some community/neighborhood groups' control activities during the 49er events that kept celebrating crowds under control with minimal Police participation.

STANDING COMMITTEES
EMPLOYMENT

- Proposed Position Paper Urging Permanent Resident Aliens' Elibilility for Federal Employment.

This document had been researched and written by staff for the Police Liaison/Social Issues Committee and referred by then-Chairperson Morrissey at the regular HRC meeting August 13, 1981 to the Employment Committee.

The document calls on the HRC to reaffirm its 1976 position urging that Executive Order 11935 (issued by then President Gerald L. Ford in 1976) barring permanent resident aliens of this country from federal Civil Service employment be rescinded.

Jack Casford briefly outlined the main points of the background and the reason for the HRC's reaffirmation, which calls on President Reagan to rescind the order, the Congress to study who Permanent Resident Aliens are, and for public opinion opinion to be solicited on the issue.

It was

****m/s/c that the HRC formally reaffirm its opposition to Executive Order 11935 and that the President be asked to rescind it and take the recommended steps for public input and Congressional study cited above. A full copy of the Position Paper is attached to these Minutes.

POLICE LIAISON/SOCIAL ISSUES

- Recommended Endorsement of Assembly Bill 350-Permanent Absent Voter.

In the absence of Commissioner Moulton, Chairperson of this Committee, Jack Casford explained the measure, which would establish a permanent absentee ballot program for persons 65 years of age and older as well as for people with mobility and transportation disabilities. In addition the bill extends the period in which absentee ballots can be requested and received in the county clerk's office.

The measure, which has no organized opposition in the state according to Assemblyman Art Agnos' office, passed the Assembly in the last Session.

On February 17, it comes before the Senate Elections and Reapportionment Committee.

It is endorsed, in addition to organizations for the elderly and the disalbed, by the City's Registrar of Voters.

It was

*****m/s/c that the HRC formally endorse AB 350. Director Nickins was asked to check with the City's Legislative Committee for its official stance as required in endorsing legislation.

- Committee Report

Items to come up in the future to the HRC after Committee discussion and research will be:

1. A recommended HRC position on the Californians Against Street Crime Handgun Initiative. The Committee was asked to check with the Mayor's Office regarding work on a City handgun control plan.

2. A recommended HRC position on ACA 49, the proposed state constitutional amendment that would expand the state Commission on Judicial Appointments.

3. Commissioner Sevilla said the Committee continues to look into what can be achieved in the way of portecting public safety in the streets in light of the lessons to be learned from planning or the lack of it for the 49er football.chamionship events.

GAY ADVISORY

Richard Sevilla, Chairperson

- Committee Report.

- Objectives and goals for the next year are being discussed.
-
- At the next meeting, February 17, the Committee will hear from Lawrence Wilson of the San Francisco Police Department regarding the enforcement of nondiscrimination in sexual orientation in the issuance of business permits.

NEW MATTERS

- Lathrop Case.

The draft of a final report by the Hearing Panel has been distributed to all members. Commissioner Yamakwa recommended that the Panel meet following the HRC regular meeting February 25 to further discuss this draft report. He will see that Commissioners Grafilo, Moulton, and Obregõn get their copies.

- Anti-Gay Public Statements.

1. Chairperson Lyon stated that material soliciting funds for a "fight against homosexuals" is being received through the mail in the Bay Area from a fundamentalist Monterey area minister.

2. Commissioner Sevilla read from a newspaper account of statements of personal opinions on matters such as homosexual civil rights, school integration busing, the Equal Rights Amendment, etc. by B.Sam Hart, a Black evangelical Philadelphia minister, a recent appointee by President Reagan to the U.S. Civil Rights Commission.

Commissioner Sevilla said these public statements and possible HRC response to them will be discussed at an upcoming Gay Advisory Committee meeting.

CALENDAR MATTERS

- The next meeting of the HRC will be Thursday, February 25, at 10:15 A.M. in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment

Thursday, March 4, 1982
9:30 A.M.
1850 Mission Street

Gay Advisory	Tuesday, February 16, 1982 Noon Main Library, Third Floor, Commission Room
Housing & Urban Development	To be announced
Police Liaison/ Social Issues	Monday, March 15, 1982 3:30 P.M. Room 509, HRC Offices
Youth & Education	Tuesday, February 16, 1982 & Thursday, March 18 3:15 P.M. John Adams Community College Center 1860 Hayes Street, Room 136

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:sa
2-18-82

Office of the Mayor
San Francisco

Dianne Feinstein

Attachment #1

February 11, 1982

Honorable Phyllis Lyon, Chair
and Members
Human Rights Commission
1095 Market Street
San Francisco, CA 94103

Dear Commissioners:

I want you to know how much I appreciate this opportunity to meet with the Human Rights Commission. The Human Rights Commission has a distinctive and impressive history since its founding in 1964 and as commissioners you can take great pride in its accomplishments over the years.

The Human Rights Commission was established during a period of great racial unrest in our City. You may remember the sit-ins that occurred along auto row in protest against the discriminatory hiring practices of the automobile dealers. The first success of this new body was in the negotiation of an agreement with the Motor Car Dealers Assocation to improve job and training opportunities for minorities.

Since that time the Human Rights Commission has made great strides in advancing the rights and equal treatment of all citizens, and improved the quality of life here in San Francisco. I would like to briefly review some of these accomplishments with you:

In 1968, the establishing ordinance was amended to give the Human Rights Commission the authority to require affirmative action compliance of all contractors who perform services for the City. Since that time the Commission has been active in promoting and insuring the participation of women and minorities, both as employees and entrepreneurs.

I was very pleased with the recent ruling by the State Court of Appeals in the case of Alioto's Fish Company, Ltd. vs. the Human Rights Commission of San Francisco, which found that the enforcement of affirmative action requirements is a proper and legitimate exercise of the City's legal contracting power. With this court decision now behind us, I urge you to continue your diligent efforts in the area of contract compliance monitoring.

I am also impressed by the fact that minority contractors have received 17% of the construction contract funding for the Clean Water Program, which is the highest percentage of minority participation for similar projects in California.

I am pleased by the progress that has been made in increasing the number of minority and women contractors and contract employees funded by City government. This progress is indicated in your second quarter MBO report, where you state that 49% of the workforce participating in City contracts is composed of minorities and women. I would like to congratulate the Commission and staff on their role in promoting this high level of participation.

Another mandate of the Human Rights Commission is to provide technical assistance to other City agencies in programs to eliminate prejudice and discrimination. In fulfilling this role, the Commission has been very instrumental in helping to meet the terms of an agreement between the City and the Office of Revenue Sharing. One of the benefits of this agreement if the development of City departmental affirmative action plans, and I am pleased to note that 42 departmental plans have now been certified by the Human Rights Commission and the Civil Service Commission.

Another significant result of the Compliance Agreement is the creation of the Discrimination Hearing Panel. A member of your staff chairs this panel, which also consists of representatives from the Civil Service Commission and my office. The Office of Revenue Sharing and the original complainants are pleased that there is now a hearing procedure set up for those who feel that they have suffered harm due to discriminatory practices.

I cite the implementation of the provisions of the Office of Revenue Sharing Compliance Agreement not only to recognize the excellent assistance provided by your Commission, but also to commend the staff who have worked so well with the Civil Service Commission staff on this important project.

Although the City's population is not yet fully represented in its Civil Service workforce, I remain committed to fair employment practices which promote employment opportunity within City government to all individuals, regardless of race, national origin, religion, sex, sexual orientation, age, or physical disability. I will be counting on the Human Rights Commission to continue to work closely with me to meet the goal of providing equal employment opportunities for all.

In 1974, age, sex, sexual orientation and physical disability were added to the nondiscrimination provisions of the Human Rights Commission's enabling ordinance, and it became the policy of the City and County to ban discrimination based on any of these conditions. This amendment greatly broadened the role of the Human Rights Commission, and since that time there have been significant strides made on behalf of these other protected classes.

One of the major accomplishments of your Commission during the past year resulted in the passage of the Sexual Harrassment Ordinance, which I was pleased to sign into law. I am hopeful that this ordinance, which establishes a complaint procedure for affected employees, will provide the necessary deterrent in the City government workplace and prevent this unacceptable form of behavior.

I am sure that the Human Rights Commission and staff take great satisfaction in the State Supreme Court's ruling which bans discrimination in rental housing against families with children. The Human Rights Commission was in the forefront of those who recognized this problem and sought to establish our local ordinance in 1975, and I am pleased that I had the opportunity to vote in favor of this ordinance as a member of the Board of Supervisors. This is another example of the type of progressive legislation that the Human Rights Commission has worked for, and you have helped to make San Francisco a model for other cities in California and across the country for enlightened treatment of its citizens. I am particularly proud of the manner in which the Human Rights Commission has assisted our citizens in taking full advantage of the rights that are available to them.

The Human Rights Commission has a distinctive place within City government as well as within the City as a whole. One of them most important and well-known responsibilities of the Human Rights Commission is to serve as a forum for negotiating community-wide disputes, and over the years the Commission has been instrumental in lessening intergroup tensions and hostilities through the use of conciliation and mediation.. A particularly good example of an incident that was defused by careful fact finding and mediation was the dispute in which members of the black community charged the Commission on the Status of Women with racism. It is essential that the Commission utilize these mediating skills rather than contributing to further antagonism and dissension. The Human Rights Commission must retain its credibility in order to sustain the trust and confidence of all sides. Consensus and negotiation are the bedrock upon which we can build mutual respect and tolerance, and the Commission's participation in this realm is vital to maintaining harmony among our diverse communities.

In the most recent census figures, it was found that minorities now comprise nearly one-half of the City's population. With this in mind, it is even more important that all San Franciscans have an equal opportunity to participate in the decision making process of the City government and to share in its benefits. The Human Rights Commission is vital to insuring the accessability of government to our citizens. However, this mandate requires the full participation of all commissioners, as well as your attendance at the necessary Commission and committee meetings.

I would like the Commissioners to know how much I appreciate the fine work of your Exectuve Director, Grant Mickins, and his dedicated and hard working staff. Grant Mickins has always cooperated fully with my office and has willingly taken on addtional responsibilites when I have asked, such as providing administrative oversight for the Commission on the Status of Women and providing temporary staff assistance to the Intergroup Clearinghouse.

In closing, I would like to thank each of the Commissioners for their efforts in protecting the rights of our citizens, and I look forward to working with you as we continue to work for the advancement of human rights and in increasing opportunities for all of our citizens to fully participate in the life of our City.

Sincerely,

DIANNE FEINSTEIN
Mayor

DF:TSS

CITY AND COUNTY OF SAN FRANCISCO

HUMAN RIGHTS COMMISSION
OFFICE OF CONTRACT COMPLIANCE
OFFICE OF DISPUTE RESOLUTION

Attachment #2

POSITION PAPER URGING PERMANENT RESIDENT ALIENS' ELIGIBILITY FOR FEDERAL EMPLOYMENT

Permanent Resident Aliens of this country are still ineligible for federal Civil Service employment. This despite the fact that they are required to meet the obligations of full citizens such as payment of all taxes and military service.

The Human Rights Commission on record as of its action of September 30, 1976 in urging that former President Gerald L. Ford's Executive Order 11935, issued September 2 of that year, be rescinded.

The Presidential Order was issued only a few months after the U.S. Supreme Court, in a 5-4 decision, had declared unconstitutional a federal regulation that banned Permanent Resident Aliens from government jobs. The case was brought by five Chinese immigrants in San Francisco challenging the regulations enforced by the Civil Service Commission.

Executive Order 11935 still stands, though plaintiffs in the original case sought both a Supreme Court rehearing and/or a challenge to the President's action in U.S. District Court.

The City and County of San Francisco has, since November 23, 1970, endorsed the policy of hiring Permanent Resident Aliens, except in security positions, and the State of California has an established policy of hiring Permanent Resident Aliens also since that date.

All ethnic communities in San Francisco are, obviously, greatly discriminated against by the federal bar to their employment.

The Human Rights Commission therefore wishes to reaffirm its 1976 position urging that Executive Order 11935 be rescinded, and similarly urge that President Ronald Reagan take this action.

It would repeat the reasons it cited in 1976 to President Ford:

1. The Congress should make a study of who Permanent Resident Aliens are before any ruling is made on their work eligibility.

2. The public should have an opportunity to let its legislative representatives know of their feelins in the matter.

3. Executive Order 11935 now standing tends to establish a system similar to other countries' exclusionary "work permit" policies.

4. The federal service and the nation continue to be denied the talents, energies, and experience of thousands of highly-qualified persons who do not happen to be full citizens.

Adopted by the HRC
2/11/82

(415) 558 4901 Suite 501, 1095 Market Street San Francisco 94103

SF
H80
#2
2/25/82

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, February 25, 1982
Commission Room, Main Library

****
* NEXT MEETING *
* *
* Date: Thursday, March 11, 1982 *
* Time: 10:15 A.M. *
* Place: Third Floor, Commission Room *
* Main Library, Civic Center *
****

DOCUMENTS DEPT.
MAR - 0 1982
SAN FRANCISCO
PUBLIC LIBRARY

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners

Present: Phyllis Lyon (presiding), Thomas Ambrogi, Robert Edwards, Antonio Grafilo, Joe Jung, Joan Zamora Moulton, Clemente Obregón, Richard Sevilla, Esta Soler, Rabbi Martin Weiner, David Yamakawa.

Excused: Samuel Chung, John Morrissey, Brenda Wade.

Staff

Present: Grant S. Mickins, Torsten Weld Bodecker, Jack Casford, Joe Meza, Richard Norton, Vicky Rathbone, Gail Roberts, Lydia San Filippo, Essie Thomas, Jackie Winnow.

Pledge of Allegiance

Minutes of February 11, 1982 approved with one addition, Page 7, under Police Liaison/Social Issues Committee report on Assembly Bill 350-Permanent Absent Voter (which the HRC endorsed February 11), Commissioner Moulton asked that it state: "The Committee will monitor compliance with Assembly Bill 350 when and if it is passed by the State Senate and signed into law by the Governor."

COMMUNICATIONS

- From James H. Johnson, Executive Director,Mayor's Office of Housing and Community Development,a copy of a letter to Jeffrey Lee, Director, Department of Public Works, informing that his office endorses the HRC recommendation that a contract (Job #4345A-Joseph Lee Recreation Center) be rebid based "on information that none of the bidders met the required Minority Business Enterprise (MBE) goals." Director Mickins announced that in accordance with the HRC's recommendation that the contract not be awarded to the low bidder, and the strong objection of the low bidder attorney, the contract has been awarded to another firm that meets the HRC requirements.

- From Mayor Dianne Feinstein, informing that the 1982 (federal) Community Development Block Grant Entitlement (through the U.S. Department of Housing and Urban Development (HUD) has been reduced from $25.1 million to $23,072,105. This will require a 4% cut across the board. The HRC, Director Mickins said, has been allocated $145,000 for its Fair Housing Program and for Affirmative Action monitoring, and its cut would have amounted to $5,800, but, since its staff hired under the OCD grant will not start work until March 1 or later, this cut amount already has been absorbed in the form of salary savings dating from the award in January.

- From Charles L. Robinson, Manager, San Francisco Service Center,announcing a conference on employment problems faced by workers 40 years of age and older, sponsored by the State Employment Development Department, on Monday, March 15, from

9 A.M. to 12:30 P.M. at Queen Adah Hall, 1390 Turk Street.

- From State Senator John Garamendi, Senate Majority Leader, acknowledging the HRC February 11, 1982 action urging passage of Assembly Bill 350, the Permanent Absent Voter bill.

- From Rudy Nothenberg, Executive Deputy, Fiscal and Program Administration, Office of the Mayor, a memorandum on Budgeting for City Attorney Services sent to all affected City departments.

- From Rosario Anaya, President, San Francisco Board of Education, thanking HRC Chairperson Lyon for the HRC action regarding adequate support for ESAA (Emergency School Aid Act) in the upcoming block grant funding.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, a copy of a notice to the Chair of the Board Community Service Committee requesting a hearing for review of the Human Rights Commission (under Sections 2.90 and 2.91 of the San Francisco Administrative Code) in April.

- From Chief of Police Cornelius P. Murphy, a copy of a publication "How To Make A Complaint" which describes where and how citizens' complaints can be made (to the Police Department). This letter was read in full at the request of Commissioner Sevilla, as well as the attached information on how complaints can be made, and briefly describing investigation and complaint appeal procedures.

****All members of the HRC will be sent copies of this material, and Director Mickins suggested that the Police Liaison/Social Issues Committee might wish to review it. Commissioner Sevilla said he looked forward to seeing guidelines for intra-departmental discipline for Police officers.'

- From Laura Rodriquez, Television Producer, to Chairperson Lyon, expressing her views on the proposed changes (by the HRC) in the definition of the term "Hispanics" for Affirmative Action guidelines, i.e., the dropping of the "from other Spanish cultures" wording, as urged by Commissioner Moulton at an HRC meeting of January 14, in a discussion joined by Commissioners Obregon and Sevilla. This letter was read in full.

****Commissioner Moulton asked that a copy of this letter be sent to her.

DIRECTOR'S REPORT

- Bayview Towing Complaint
- From J. Edward Marshall, Attorney at Law, representing Bayview Towing and Dismantling, letters of February 18 (to Joseph C. Gavin, City Purchaser), and February 23, to Mr. Mickins.

- The February 18 letter to Mr. Gavin, with a copy to Mr. Mickins and Assemblyman Art Agnos, cites the efforts of his client, since bids were opened October 30, 1981 on Contract Proposal No. 243 (for towing abandoned vehicles for the City), as low bidder, to learn what the status of Mr. Gavin's decision on award of the contract will be.

- The February 23 letter to Mr. Mickins, read in full, is a formal request that the HRC investigate under its powers in Sections 12A.2 and 12A.5 of the Administrative Code. Mr. Marshall wrote, in part:

"It is my intent to have this Commission investigate this matter to ascertain why a large segment of qualified San Francisco inhabitants have not been the recipient of contracts from the City Purchaser's Office. The fact that Bayview Towing and Dismantling is comprised solely of black San Franciscans certainly raises a presumption that they are being denied the contract bidded upon because of their race, when one considers that (1) they were the low bidders; (2) no disqualifying reasons have come out of the City Purchaser's Office justifying the non-award of the contract and finally (3) that an unreasonably, unexplained long period of time has passed without any action on the City Purchaser's part to award the contract."

Mr. Marshall said he and his client are informed that several groups (the Black Leadership Forum, the National Association for the Advancement of Colored People, and Black MBA's)...have expressed concern over the lack of contracts emanating from the City Purchaser's Office.

There followed considerable Commissioner discussion of this formal request for HRC investigation in response to the Bayview Towing complaint request.

Director Mickins read verbatim from Chapter 12A of the San Francisco Administrative Code, Section 12A.2 Declaration of Policy, which he said had rarely been implemented by the HRC since its founding in 1964, and from Section 12A.5. Powers and Duties, citing subsections (a) the power to "study, investigate, mediate and hold public hearings on community-wide problems...which may result in intergroup tensions or discrimination.." and (f) "Subject to the approval of the Mayor or the Chief Administrative Officer, where appropriate, request of any City and County agency, board or officer information..and any other assistance for the purpose of furthering the objectives of this ordinance..." Mr. Mickins also cited, also in subsection (a) under Section 12A.5., the provision that in case of "refusal of any person to attend or testify as required by subpoena..the Commission may...petition for a court order..."

Commissioner Weiner and others asked what had been the response of the City Purchaser's Office to HRC inquiries about this issue, and Director Mickins said that the HRC, Mr. Marshall, and Assemblyman Agnos had made numerous inquiries to City Purchaser Gavin on the subject, and that the response had been that he was still investigating the contract bid by Bayview Towing. The original bids were opened October 31, 1981.

Mr. Mickins said Supervisor Doris Ward had put the issue of MBE's in City contracts on the agenda of the Board of Supervisors' Governmental Services Committee but that no resolution of the issue of the lack of minority participation in City contracts had been forthcoming to date. Edward Vurek, HRC Contract Compliance Officer, who had attended a number of the Governmental Services Committee meetings, also stated that only three MBE (Minority Business Enterprise) firms receive any City contracts through the Purchaser's Office (in the range over $50,000) and that less than 1% of the more than $150 million in City Purchasing contracts let annually go to minority-owned firms, a figure he called "probably generous." He noted also that when a contract proposal for towing cars other than abandoned vehicles was made, Bayview Towing was not one of the companies solicited. "There is very little outreach (solicitation of minority-owned firms' contract bids)," he said.

Director Mickins also read from the HRC Rules and Regulations regarding its procedures and guidelines in conducting investigations. He noted that the investigation requested was on two levels: on the allegation that failure to award Bayview Towing the contract in question was race discrimination; and on the broader allegation that the minority contracting community at large was being discriminated against by the City Purchaser's Office in soliciting and granting contract bids.

After further discussion it was

****m/s/c that the HRC formally investigate the above two issues in response to the request in writing from Mr. Marshall for Bayview Towing, and that it write (enclosing a copy of the formal complaint to the HRC) to Chief Administrative Officer Roger Boas of its action and, following Section 12A.5 (f) of Chapter 12A of the San Francisco Administrative Code, request his approval and cooperation in proceeding with the investigation.

****Subject to Mr. Boas' approval, Chairperson Lyon then named the following members of the HRC investigation panel: Commissioners Ambrogi, Edwards, Grafilo, Morrissey, and herself.

- Director Mickins said it is expected that Mr. Marshall and Bayview Towing will ask other community groups to join in their complaint.

- HRC Budget for Fiscal Year 1982-83.

The HRC's proposal budget will be discussed in full at the Administrative Committee meeting March 2, 1982 at 4 P.M. at the HRC offices.

- Ordinance Revision-Hearing Panel.

Reduction of the minimum number of Commissioners required to form a Hearing Panel from the present right will be discussed also at the Administrative Committee meeting March 2, as will the Management By Objective program for the year.

- Fisherman's Wharf Restaurants - U.S. Supreme Court Action.

Copies of stories in both the San Francisco Chronicle and Examiner describing the decision February 21, 1982 by the U.S. Supreme Court not to hear an appeal by Alioto's Fish Company, et al. (thirteen other Fisherman's Wharf restaurants) of a State Court of Appeal ruling (also upheld by the California Supreme Court) that the HRC and the City have the legal right to require compliance with Affirmative Action rules and regulations under signed agreements. The suit was first filed February 4, 1977. Superior Court Judge Charles Peery in October of 1977, however, granted a permanent injunction to the restaurants forbidding the HRC from requiring them to sign Affirmative Action agreements. This the HRC appealed to the State Court of Appeal, which upheld the appeal. An appeal was then taken by the restaurants to both the State and U.S. Supreme Courts.

REPORT BY THE CHAIRPERSON

- Co-Chairpersons were asked to decide which of them would attend meetings of the Administrative Committee, in order that these meetings be kept small enough not to qualify as obligatory public meetings under provisions of the (State) Brown Act.

Staff of Standing Committees were asked to consult both co-chairpersons about Committee business.

- Thanks were expressed by the Chairperson for a party given in her honor February 19 at the home of Mr. and Mrs. Charles Roberts.

STANDING COMMITTEES
GAY ADVISORY
Richard Sevilla, Chairperson

- Committee Report.

At the meeting of February 16, Lawrence Wilson, of the Legal Department of the San Francisco Police Department, participated in a discussion of how the permit-granting process might be used to enforce anti-discrimination laws. The Police Department under Section 3.537 of the Police Code-Special Powers of the Chief of Police, can revoke, suspend, or reject a permit application if a business does not meet certain conditions, or is conducted "in a disorderly or improper manner." Commissioner Sevilla said that some of these powers have in the past been used against the Gay community (when style of dress or appearance, or type of business such as a bookstore in a residential area, were considered "improper").

Commissioners Moulton and Grafilo asked for copies of the Police Code section relating to "special powers."

Mr. Wilson offered to continue this dialogue, perhaps by appearing before the full HRC, as more than just the Gay community may be interested in this subject.

- Complaints - The Committee continues discussion on how the community can be made more aware of the resources of the HRC and the Committee.

- Recommended Approval of Letter Regarding the Nomination (by the President) of the Rev. B. Sam Hart to the U.S. Civil Rights Commission.

Copies of this proposed letter were distributed in advance to the members of the HRC. The media had carried stories February 11 about President Reagan's nomination of the Rev. Hart and the nominee's views opposing the Equal Right Amendment, homosexual civil rights causes, and school busing for integration. The proposed letter was read in full. It asks (by addressing Senator Alan Cranston of directly) that members of the Senate Judiciary Committee withold approval of the nomination of the Rev. Hart, oppose confirmation, and vote against it if it should reach the Senate floor.

It was

****m/s/c that the HRC approve sending the letter regarding the appointment of the Rev. B. Sam Hart to the U.S. Civil Rights Commission. The full text is attached to

these Minutes, with a xerox copy of the February 11, 1982 Chronicle story about his comments following announcement of his nomination.") nationally on February 27, it was announced that the Rev. Hart had withdrawn his name from consideration fora a position on the U.S. Civil Rights Commission "because the controversy surrounding the nomination was dividing minorities, and he was harassed by the media."

YOUTH AND EDUCATION
Rabbi Martin Weiner, Chairperson

- Letter in Support of the Lesbian and Gay Speaker's Bureau.

This item was postponed to a later HRC meeting.

EMPLOYMENT
Antonio Grafilo/Esta Soler, Co-Chairpersons

- Report on Affirmative Action Agreement between the HRC and Facility Management Incorporated of California (FMI) - Richard G. Norton, HRC Contract Compliance Officer.

Facility Management Incorporated of California (FMI) has been contracted by the City and County of San Francisco to manage three convention facilities for the City: the Civic Auditoruim, Brooks Hall, and the Moscone Convention Center. FMI has the responsibility for staffing the convention facilities, by hiring various vendors, maintenance, operation, and management personnel.

A one-year Affirmative Action Agreement was signed by both parties December 11, 1981 spelling out FMI's obligations in compliance with the provisions of Chapters 12B and 12C of the San Francisco Administrative Code.

It is the goal of this agreement to develop a workforce in each job category which more closely approximates the reacial and ethnic population of San Francisco. To assist FMI in achieving the goals set forth in the Affirmative Action Agreement, it is agreed that minority and female applicants will be actively recruited for employment in all job categories. To verify compliance with the provisions in Chapters 12B and 12C, FMI's hiring practices will be monitored and analyzed and a show of good faith effort will be a determining factor. It is also stipulated in the agreement that FMI will supply job announcements to local ethnic minority news media, in addition to using referral services.

Hiring goals are to have adequate ethnic percentage representation comparable to the labor market and/or comparable to the ethnic population percentage agreed between the contractors and the Human Rights Commission. The hiring goals are as follows:

Officials & Managers

FMI agrees to attain a goal of 25%.

Professionals

FMI agrees to attain a goal of 33%.

Office & Clerical

FMI agrees to attain a goal of 50%.

Blue Collar Staff

FMI agrees to attain a goal of 40%.

Semi-Skilled (Janitorial, Labor & Labor Forepersons)

FMI agrees to attain a goal of 60%.

It is agreed that compliance with the above goals will be based on reaching a level of minority and women participation and/or evidence of good faith efforts on the part of FMI.

Since training is important in the effort to bring minorities and women into job categories in which they have previously been under-represented, the contractor agrees to establish training and development programs and to permit employees to participate in community workshops and seminars. In the event FMI subcontracts or subleases any portion of any of its City and County contracts whose contracts are estimated to exceed $10,000, FMI shall inform the Human Rights Commission of:

1. Subcontractors' name and type of business.
2. Dollar amount of subcontract.

Minority Business Enterprise (MBE) and Women-owned Business Enterprises (WBE) goals are addressed in the agreement as follows:

1. Twenty-five percent (25%) of total dollar cost of operation for minority business participation.

2. A range of five to ten percent (5% - 10%) of total dollar costs for women-owned business participation.

It is agreed that FMI will submit monthly reports to the Human Rights Commission for the first six months of the agreement and quarterly reports thereafter. FMI shall maintain, at its San Francisco office, separate and independent records devoted exclusively to its convention facilities management operations in San Francisco as it relates to recruitment, training, and hiring.

It was

****m/s/c to accept Mr. Norton's Report on Affirmative Action Agreement Between the HRC and Facility Management Incorporated (FMI).

NEW MATTERS

- Municipal Railway Employees' Complaint - Commissioner Moulton

Ten Hispanic Municipal Railway employees brought their complaint about Spanish-language testing for mechanics' positions to Commissioner Moulton, and Director Mickins said he would ask Frank Anderson of the HRC staff to see what advise or assistance he could provide them.

- Police Liaison/Social Issues Committee Members - Commissioner Moulton.

Names of persons the Commissioner wishes to serve on this Committee, which she co-chairs with Commissioner Sevilla, were provided by her.

- Form 730 - Statement of Economic Interest.

An instruction manual and Form 730 have been sent to each Commissioner. The completed Form 730 is due by April 30, to be sent to Jack Casford to keep on file at the HRC offices.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, March 11, 1982, at 10:15 A.M. in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, March 4, 1982 9:30 A.M. 1850 Mission Street
Gay Liaison	Tuesday, March 16, 1982 Noon Main Library Third Floor Commission Room

Housing & Urban Development	To be announced
Police Liaison/ Social Issues	Monday, March 15, 1982 3:30 P.M. HRC Offices, Room 509
Youth & Education	Tuesday, March 16, 1982 3:15 P.M. John Adams Community College Center 1860 Hayes Street, Room 136

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:sa
3-3-82

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

Attachment #1

DRAFT

Senator Alan Cranston
229 Russell, Senate Office Building
Washington, D.C. 20510

Dear Senator Cranston:

The Human Rights Commission of San Francisco, at its regular meeting of February 25, 1982, expressed extreme dissatisfaction and disapproval regarding the possibility of the Rev. B. Sam Hart's confirmation as a member of the U.S. Civil Rights Commission. At a press conference on February 10, The Rev. Mr. Hart spoke against the Equal Rights Amendment, bus transportation to desegregate schools, and civil rights for Lesbians and Gay men.

Mr. Hart spoke at great length on homosexuality. He stated that since Lesbians and Gay men are homosexuals by choice or as products of the environment, that their fight does not legitimately constitute a civil rights issue. Whether sexual orientation is innate or chosen has been a topic debated at lengthby a great many people and the subject of numerous studies, and surely will continue to be argued. One of the fundamental founding tenets of this country was the freedom of religion. In keeping with The Rev. Mr. Hart's reasoning, one could argue that since one has the ability to change or choose one's religion, that religion is not a civil rights issue. More clearly, whether people face certain oppressions or possess minority status through choice or through innateness is not the issue. Civil rights for all people through equal opportunity must not only be maintained, but promoted.

Although reasonable people may differ on how to achieve equal protection, ALL Americans under the United States Constitution are to be afforded such protection. One of the major functions of the U.S. Civil Rights Commission is the upholding and enforcing of equal protection. It must be noted that Reverend Hart appears to lack fundamental understanding and experience in civil rights concepts and his appointment would adversely affect all protected classes.

We urge you to maintain the hold on the Rev. Mr. Hart's nomination, seek opposition by your colleagues to the confirmation, and speak against his confirmation should it reach the Senate floor. Thank you for your continued support and assistance on behalf of civil rights.

Very truly yours,

Phyllis Lyon
Chairperson

cc: Senator John Heinz

(Similar letter to the members of the Senate Judiciary Committee.)

CF
180
#2
3/11/82

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, March 11, 1982
Commission Room, Main Library

****
* NEXT MEETING *
* *
* DATE: Thursday, March 25, 1982 *
* TIME: 10:15 A.M. *
* PLACE: Third Floor Commission Room *
* Main Library, Civic Center *
* *
****

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

DOCUMENTS DEPT.
MAR 24 1982
SAN FRANCISCO PUBLIC LIBRARY

Attendance

Commissioners

Present: Phyllis Lyon (presiding), Thomas Ambrogi, Robert Edwards, Antonio Grafilo, Joe Jung, John C. Morrissey, Joan Zamora Moulton, Clemente Obregón, Richard Sevilla, Esta Soler, Brenda Wade, David Yamakawa.

Excused: Samuel Chung, Rabbi Martin Weiner.

Staff

Present: Grant S. Mickins, Jack Casford, Stanley Lim, Joe Meza, Vicky Rathbone, Gail Roberts, Lydia San Filippo, Essie Thomas.
Juan Cruz, new Housing Specialist working with Donald Hesse on the Fair Housing Program, and Pansy Ponzio, new Affirmative Action Officer, were introduced by Director Mickins.

Pledge of Allegiance

Minutes of February 25, 1982 approved.

COMMUNICATIONS

- From Rudy Nothenberg, Office of the Mayor, a copy of a Memorandum to all participants in the February 1-5 Training Session, announcing a second session for May 3 - 7 and asking for suggested nominees.

- From Susan Wood, Peace Education Associate, American Friends Service Committee, Northern California Region, a form letter announcing a speaking tour March 13-22 by the Central American Representative for the AFSC regarding Central America, and one March 21-28 by two Nicaraguan clergypersons. Commissioner Ambrogi said he had schedules in more detail on these speeches.

- From Mayor Dianne Feinstein, a Memorandum reminding all Department Heads she must be notified by them of trips out of town during the week and on weekends, with, in writing, the location and purpose of the trip and a phone number where they can be reached.

- Commissioners were reminded that their out-of-city trips for longer than overnight must be reported to Jack Casford, who writes a formal letter to the Board of Supervisors requesting permission to be absent.

- From Michael A. Brennan, Executive Director, Pride Foundation Substance Abuse Services, to Commissioner Phyllis Lyon and Del Martin, a form letter announcing and seeking support for alcoholism recovery programs offered by the Pride Foundation.

- From Hiram E. Smith, Executive Director, San Francisco Neighborhood Legal Assistance Foundation, a form letter announcing the reduced level of services, especially intake, which is done on an appointment basis only, at only one office, at 870 Market, 11th Floor. These reductions, Mr. Smith said, are the result of Reagan Administration budget cuts effective January 1, 1982.

= From Jorge Lopez, Employment Coordinator, Mission Language & Vocational School, Inc., thanking Commissioners Obregon, Sevilla, and Moulton for the December 10, 1981 HRC Minutes, and enclosing a partial personnel breakdown of the Leased Parking Facilities employees.

- From R.C. Person, a private citizen, commenting on the recent U.S. Supreme Court decision affirming the HRC's jurisdiction over Fisherman's Wharf restaurants for affirmative action in employment, and urging inquiry into hiring practices by Chinese-owned restaurants. This letter was read in full, and Commissioner Morrissey noted that private Chinese-owned or other restaurants are not under the jurisdiction of the HRC.

- From former Commissioner Pius S.C. Lee, stating his pleasure at receiving the HRC's formal commendation and thanks for his service as a member of the HRC (he resigned December 12, 1981, to accept an appointment to the California State Industrial Welfare Commission).

- To Roger Boas, Chief Administrative Officer, from Director Mickins for the HRC, formally requesting the approval and cooperation of his office for the HRC in its decision, taken by unanimous vote at its regular February 25 meeting, to conduct a formal investigation of charges of discrimination brought by an attorney for Bayview Towing and Dismantling. This letter was read in full. Copies were sent to Mr. Marshall, H. Welton Flynn, President, San Francisco Black Leadership Forum, Joseph Gavin, Director, City Purchasing Department, and Alex Pitcher, President of the San Francisco branch of the National Association for the Advancement of Colored People. The HRC wrote in compliance with Chapter 12A of the City Administrative Code, Section 12.5(f). The HRC wrote Mr. Boas that in addition to the charge brought by Bayview Towing and Dismantling, it was necessary to investigate as well the charge that "minorities cannot receive fair and impartial treatment in the contracting and purchasing processes" of the City Purchasing Department.

The letter to Mr. Boas was sent March 5, and Director Mickins said he had been informed verbally by an aide to the CAO that the latter is interested in the issue, and that prior to its receipt he had received complaints of some problems regarding policies of the City Purchasing Department vis à vis minority-owned business participation in City contracting and purchasing, and that he may decide to conduct an investigation.

Several Commissioners asked to be briefed on what steps can be taken next, both by the five-person investigating panel appointed by Chairperson Lyon at the HRC's February 25 meeting, and by staff, both while awaiting formal approval from Mr. Boas's office, and afterward.

Director Mickins said that staff could assist in preparing Commissioners for review of background data and statistics, produce evidence from minority bidders, the records of the award or nonaward of contracts to minority bidders, etc.

In response to questions from Commissioners Grafilo, Ambrogi, and Morrissey on what procedures now apply as far as beginning and carrying on the investigation, Director Mickins read verbatim from the Rules and Regulations of the HRC, Rules 15, 16, 17, and 18, which cover in detail Investigations, Mediation, Subpoenas and Invitations, and Public Hearings and the Conduct of Public Hearings.

On the question of Commissioners delegating investigatoryduties to the HRC staff, Director Mickins reiterated preliminary work could be done in preparation for review by the Commission members. Several Commissioners, notably Commissioner Grafilo, urged that they personally become actively involved in this investigation and that the investigation process be expedited.

- Director Mickins said he expected to hear a formal response from Chief Administrative Officer Boas in a few days. Commissioner Yamakawa suggested that if the Boas response had not been received "in a reasonable time," the Chairperson should convene the investigation panel to make a recommendation for proceeding to the full HRC.

- From Ruth M. Hildebrand, Executive Director, Coming Out, A New Beginning, a letter introducing a re-entry program providing trasitional services for those individuals who are Gay or Lesbian in their sexual orientation who are being released from jail or prison.

- From Socorro Maria Scott, a formal letter enclosing her résumé regarding her interest in becoming a member of the HRC's Police Liaison/Social Issues Committee. Ms. Scott had been among those persons recommended by the Mexican-American Legal Defense Fund, and has been appointed to the Committee at the request of Commissioner Moulton.

- To Judith L. Teichman, Deputy City Attorney, a letter of personal commendation from the HRC for her five years of work as counsel for it in the Fisherman's Wharf restaurant case that culminated February 22 with the U.S. Supreme Court's rejection of the legal challenge to HRC jurisdiction in affirmative action employment.

*** At Commissioner Moulton's suggestion, Chairperson Lyon is to ask the Friends of the HRC to make a more formal commendation to Ms. Teichman.

- From Betty Sellers, Executive Director, California Association of Human Rights Organizations, announcing the 9th annual State-wide Conference May 5, 6, and 7 at the Holiday Inn, 1020 South Figueroa, Los Angeles, and Los Angeles Civic Center.

- From Melvin D. Honowitz, to HRC Contract Compliance Coordinator Stanley Lim, on behalf of Double-O Trucking Company, requesting a meeting with the Director and a representative of the City Attorney's Office March 10 regarding the HRC's action disqualifying Double-O Trucking as a bidder on the Southwest Ocean Outfall Pipe project. Copies of Mr. Honowitz's letter had been sent to Assemblyman Art Agnos and George Agnost, City Attorney. This letter was read in full.

Director Mickins said that George Wong of the City Attorney's Office had informed him that on March 10 Mr. Honowitz, for his client, had agreed to postpone a formal meeting as requested pending an HRC Director's Finding on a formal complaint filed with the HRC against Double-O Trucking by another trucking firm. Mr. Mickins said this Finding would be issued within two weeks. He said the Double-O Trucking Company was alleged not to be a bona fide minority business enterprise (MBE) firm under the HRC requirements. The complaint filed under this basis dates back more than a year, and Mr. Mickins said an attempt to resolve the dispute some eight months ago had been unsuccessful.

- From Paul Zerberini, to all Commissioners via Jackie Winnow, regarding a sexual orientations complaint first filed in 1980. An attempt to resolve this case was made unsuccessfully in the Spring of 1981. A Director's Finding draft has been completed and it will be announced shortly. Mr. Mickins said the issues involved may come to the full HRC on appeal. He reminded the HRC that every effort is made to resolve complaints without a Director's Findings action and noted than only about 5% of these Findings result in appeals to the full HRC.

STANDING COMMITTEES
ADMINISTRATIVE
Clemente Obregón, Chairperson

- Proposed HRC General Fund (Ad Valorem) Budget for 1982-83.

Vice-Chairperson Obregón (of the HRC) discussed details of the Budget as approved by the Administrative Committee, copies of which were provided each Commissioner. He noted that funds for services from the office of the City Attorney and for Civil Service training were included for the first time. The City had required the HRC, and all departments, to submit both a high and a low-level budget proposal. The HRC's high-level total (for all salaries, fees, fringe benefits, contractural services, mileage, materials and supplies, office rental,

equipment, controller data processing and reproduction) is $440,024. The low level is $410,349. The 1981-82 level was $429,390.

DIRECTOR'S REPORT

- New Commissioner

Ms. Corinne Lee, Assitant Legal Adviser, San Francisco Unified School District, has been appointed to the HRC. She will be sworn in Thursday, March 18, 1982 at 11:15 A.M. in Room 200 of the City Hall.

- Legal Services Fees to City Attorney.

Director Mickins and Office Manager David Treanor met with City Attorney George Agnost to discuss legal services to the HRC. The City Attorney Office no longer assigns an attorney permanently to a City department (as the HRC), but requests must be made in writing for legal services, and assignment is made accordingly. Mr. Agnost says the office currently has some 4,000 cases backlogged. The HRC's allocation (under its General Fund-Budget for 1982-83) for City Attorney legal services is set at $10,634 at the high level, and $9,870 at the low level. Director Mickins said this would most likely not be adequate to cover its legal needs in the next fiscal year and the HRC will seek to increase it.

- Proposed Management-By-Objectives Program (HRC Program Structure) for 1982-83.

Following a four-page Revised Draft of this document, Gail Roberts of the HRC staff discussed highlights for the Commissioners as they consulted their copies. The Program Structure document states the HRC's major service area, its community goal, its program, its program goal, its activities (ten in number), its objective statements (both contract compliance and dispute resolution), its performance measures (including maintaining, decreasing, or increasing service), etc.

Commissioner Soler requested that the HRC add "and women" to its Objective Statement: "To increase the percentage of minorities in City and County government." It was explained that such addition cannot be made unilaterally since the HRC is following the Office of Revenue Sharing agreement the City signed, wherein the wording presently does not include "and women". Director Mickins suggested that Commissioner Soler could take up the under-utilization of women as a separate issue through the Employment Committee.

*** It was m/s/c that the HRC adopt the Proposed Budget for 1982-83, and the Management-by-Objectives Program Structure as discussed.

- Proposed Revision of Chapter 12B re: Commissioners Necessary for Appeal Hearing.

Proposals to alter downward the quorum necessary for an appeal hearing and the vote necessary for action had been drafted by the Administrative Committee.

*** This matter was referred back to the Administrative Committee, as the City Attorney's Office had advised informally that the alternatives originally suggested were not possible under Chapter 5, Section 3.500 of the City Charter.

EMPLOYMENT
Antonio Grafilo/Esta Soler - Co-Chairpersons

- Public Utilities Commission - Minority Business Enterprise/Women Business Enterprise - Alberta O. Grant, MBE/Contract Compliance Officer.

Ms. Grant was unable to be present. The presentation was postponed to the regular HRC mbeting scheduled for April 8, 1982. It was requested that George Newkirk of the PUC also be invited to attend this presentation.

NEW MATTERS

- Lathrop Construction Company Noncompliance Case.

The eight Commissioners who comprised the Hearing Panel in this appeals case met in Executive Session before this regular HRC meeting, signed a decision concluding their deliberations, and have delivered it to the Director.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, March 25, 1982, at 10:15 A.M. in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, April 1, 1982 9:30 A.M. 1850 Mission Street
Gay Advisory	Tuesday, March 16, 1982 Noon Third Floor Commission Room Main Library
Housing & Urban Development	Tuesday, March 23, 1982 4 P.M., HRC Offices, Room 509
Police Liaison/ Social Issues	Monday, March 15, 1982 3:30 P.M. HRC Offices, Room 509
Youth & Education	Tuesday, March 16, 1982 3:15 P.M. John Adams Community College Center 1860 Hayes Street, Room 136

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

SF
HSO
3/23/82

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, March 25, 1982
Commission Room, Main Library

NEXT MEETING

****
*DATE: Thursday, April 15, 1982 *
April 8, originally scheduled,*
* is Passover. *
*TIME: 10:15 AM *
*PLACE: Third Floor, Commission Room *
* Main Library, Civic Center *
****

NOTE
See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners

Present: Phyllis Lyon (presiding) Thomas Ambrogi, Samuel Chung, Antonio Grafilo, Joe Jung, Corrine Lee, Joan Zamora Moulton, Richard Sevilla, Esta Soler, Brenda Wade, David Yamakawa. Commissioner Lee was welcomed to her first meeting since her appointment to the HRC and her swearing-in March 18,

Excused: Robert Edwards, John C. Morrissey, Clemente Obregón Rabbi Martin Weiner.

Staff

Present: Grant S. Hickins, Jack Casford, Juan Cruz, Don Hesse, Joe Meza, Pansy Ponzio, Gail Roberts, MaryGin Starkweather, Lydia San Filippo, Essie Thomas, Jackie Winnow.

Pledge of Allegiance

Minutes of March 11, 1982 approved with one alteration. Page 2, under Communications, the third line should be changed from "... and enclosing a partial personnel breakdown..." to read ...and requesting a personnel breakdown...".

COMMUNICATIONS

- From Mayor Dianne Feinstein, a Memorandum to all Department Heads March 23 giving the schdeules for public hearings on the City budget: Saturday, April 3 from 10 to 11:30 AM, Potrero Branch Library, 1616 20th Street, and Tuesday, April 6 from 7 to 8:30 PM at the Richmond Branch, 351 9th Avenue.

- From Darrell J. Salomon, Civil Service Commissioner, a copy (sent to all City departments) of a letter to Templeton Peck, Editorial Page Editor, San Francisco Chronicle, objecting to an item in a March 8 Herb Caen column referring to Commissioner Salomon. This letter was read in full. The reference objected to by Mr. Salomon, was that Herb Caen' ...paints me "sexist"..." Mr. Salomon then cited a number of steps he said he had taken regarding women in employment, among them that "I was the author of the City's first , only and current affirmative action program for women. I drafted and voted for a civil service rule banning sexual discrimination or harassment against women within the ourkforce."

*****Director Mickins was asked by Commissioners Moulton and Solar to draft a response to Commissioner Salomon's letter. Commissioner Ambrogi requested that the response be a minimal one pertaining to affirmative action for women, however.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, writing at the request of Supervisor Richard D. Hongisto. to request the HRC's attention to graffitti sprayed on construtionn girders at the Neiman-Marcus construction site at Stockton and Geary Street, and inquiring for the Supervisor if the HRC by means of contract monitoring or other means might persuade the construction company or the Neiman-Marcus Company to remove the offensive slogans painted there.

The graffitti referred to were reported by Commissioner Solar to have been photographed and printed in the major San Francisco newspapers, with construction workers pictured with them, and they said roughly,"My wife yes, my dog maybe, my gun never." She said she found this message(which was clearly visible to Union Square) offensive, and urged that the HRC write a strong letter of protest over this kind of statement.

*****Director Mickins said that under Chapter 12A and its mandate to reduce intergroup community tensions, the HRC can and will draft such a protest letter to the construction company and Nieman-Marcus, although this is a private construction project not being monitored by the HRC.

Commissioners Lyon, Moulton, and Sevilla also joined in deploring the graffitti cited and urging the HRC protest action.

- From Susan C. Bostow, Contracts Administrator, DeLeuw-Greeley-Pyman, San Francisco Clean Water Program, regarding publishing announcements of Requests for Proposals (RFP) for specialty marine inspections (diving contracts) to minority business enterprise contractors on the Southwest Ocean Outfall construction project.

- From Manuel Garcia, Executive Director, Human Rights/Fair Housing Commission of Sacramento, enclosing a copy of his letter to the Santa Clara County Board of Supervisors protesting its recent decision to "dismantle" the Santa Clara County Human Relations Commission. and urging that the San Francisco HRC join the protest. This letter was read in full. Director Mickins reported that the Santa Clara HRC staff of some 18 persons was to be reduced to a Director (James McEntee) and a secretary half-time. He noted that since Proposition 13's passage in 1978, more than one-half of the state's city and county HRCs have been disbanded, or drastically reduced in size, function, and funding.

*****Director Mickins was authorized by the HRC to draft a letter to the Santa Clara County Board of Supervisors, joining Mr. Garcia and others in urging that the Santa Clara County Human Relations Commission staff not be drastically reduced.

- From James H. Johnson, Executive Director, Mayor's Office of Housing and Community Development, requesting submission of a new 1982 Annual Program Budget 4% below the figure submitted for the budget previously approved. The Mayor had informed the HRC earlier that the City's 1982 Community Development Block Grant had been reduced from $25.1 million to $23,072,105.

- From Walter L.Johnson, President, Department Store Employees Union, Local 1100, a copy of a letter to Mr. Jerry Miller, Personnel Manager, F.W. Woolworth & Co. #04 in San Francisco (898 Market), formally protesting a reduction in job classification of a Woolworth employee, and charging that the reduction constituted age and sex discrimination against the employee. Mr. Johnson did not

ask the HRC to take any action.

- From C.J. Mahoney, District Staff Manager, Pacific Telephone, announcing a Community Calendar Program on participating local Hispanic radio stations.

- From Mayor Feinstein, a March 19 letter, informing that the Board of Supervisors has approved her proposals to meet the 1982 Community Development Block Grant allocation reductions (see above letter from James H. Johnson), and urging the HRC and other grantees "to use the available program dollars in the most cost-effective manner."

- From Mrs. Shirley Jones, Chairperson, Bayview Hunter's Point Coordinating Council, supporting the HRC's announced intention to investigate the City Purchasing Department (a decision made February 25 by the HRC and communicated to Chief Administrative Officer Roger Boas) on the charge that "minorities cannot receive fair and impartial treatment in the contracting and purchasing processes" of the department.

- From Issac Arvie, Project Manager, Arvie & Son Associates, General Engineering Contractor, to HRC Contract Compliance Coordinator Stanley K. Lim, with copies to Clean Water Program officials, a Deputy City Attorney, and others, discussing in detail meetings with trucking contractors regarding Affirmative Action Program requirements in the (Southwest Ocean Outfall) Clean Water Program.

Director Hickins gave a brief resume of the factors in this dispute, which has, he reported, been settled. Mr. Arvie's letter was written before agreement had been reached.

- From the City and County Delinquency Prevention Commission announcing its new President for 1982-83 as Stuart H. Patt, Esq.

- From Pat Jackson, Executive Secretary, Civil Service Association Local 400, requesting advance notice of any proposed personal service contracts for Rent Board Hearing Officer.

- From Claire Zvanski, Executive Director, San Francisco Delinquency Prevention Commission, a copy of a letter to Judge Harry W. Low, Presiding Judge of the Juvenile Court, attaching a summary of the HRC's cultural awareness program of February 23, 1982. The HRC, at Judge Low's request, has been conducting weekly programs for young people in custody at the Youth Guidance Center that present minority speakers from private and public-sector careers.

- From the Spiritual Assembly Baha'is, San Francisco, inviting the HRC Director to attend a worldwide memorial service honoring "over 100 Baha'is recently executed in Iran..." on Saturday, March 27, at 11 AM, San Francisco Baha'i Center, 170 Valencia Street.

DIRECTOR'S REPORT

_ HRC Budget for 1982-83.

The HRC has submitted all documentation necessary to the Mayor's Office. Public hearings on the City budget are announced in the Communications Section of these Minutes. Recommendations for salary increments for member of the HRC staff average a 6% increase, Mr. Hickins said.

- City Purchaser Joseph C. Gavin's Resignation.

City Purchaser Joseph C. Gavin resigned his position March 23,

saying that he had reached a "stalemate" with Chief Administrative Officer Roger Boas over which of two firms should get the City's five-year contract for towing abandoned cars.

The HRC had voted February 25, at the request of Bayview Towing and Dismantling, to investigate its charges of "unreasonable delay" by Mr. Gavin's office to award a contract whose bid period ended in October 1981 and on which Bayview had been the low bidder.

Mr. Boas had asked the firm of Touche Ross & Co. to evaluate the ability of each of the two firms (Bayview and Golden Gate Auto Co, the second low bidder), to provide the towing service. The evaluation was reported as saying that Bayview "cannot be considered unqualified to do the job." Bayview is a minority-owned firm, Golden Gate Auto Co. is not.

The HRC had written Mr. Boas, as legally required, to obtain his cooperation in its investigation of charges, brought by Bayview and others, including the National Association for the Advancement of Colored People and the Black Leadership Forum, that Mr. Gavin and his department have failed to award any significant proportion of the City's some $150 million in contracts annually to minority or women-owned firms.

Director Mickins said he has talked with Mr. Dennis Bouey, Executive Assistant to Mr. Boas, and learned that the CAO's office intends to continue to cooperate with any investigation the HRC wishes to conduct on this issue, asking that they be briefed on specific areas the HRC wishes to study and be given input in the eventual report, and that one of the CAO staff persons be assigned to work with the HRC in such as investigation.

Robert Tecco has been appointed Acting City Purchaser.

Director Mickins reiterated the HRC's two primary concerns: the one, the allegation that racial discrimination was a factor in the failure of the City Purchasing Department to award the car-towing contract to Bayview Towing and Dismantling; and two, the failure of the City Purchasing Department to award any proportion of the City's some $150 million in annual contracts to MBE/WBE firms.

Mr. Mickins said he presently does not know when the car-towing contract sought by Bayview will not be awarded.

Mr. Bouey has indicated informally to Mr. Mickins that the CAO's Office would cooperate in any effort the HRC wishes to make to help establish within the City Purchasing Department an MBE/WBE contract award program. Mr. Mickins said that this was an opportune time to introduce the MBE/WBE concept as Mr. Tecco establishes his authority in office.

Mr. Mickins stated that cooperation of CAO and Mr. Tecco in obtaining such information as: the level of contracts, award procedures, how many contracts are awarded without going through the bid process (estimated at 25-30%), etc. is necessary to gather basic data for a program.

The Director and Chairperson Lyon also concurred in asking, that there be a formal letter of commitment from Mr. Boas to these goals.

On the question of the investigation of the formal complaint filed by Bayview Towing & Dismantling noted by Commissioner Yamakawa, Mr. Mickins said further action will depend on the status of the award of the car-towing contract in dispute, and that informally he had been told Bayview will, in fact, receive that contract.

Mr. Mickins stated that the HRC will be meeting the concerns of the Bayview complaint (and those community groups joining in that complaint) if it obtains the information leading to establishment of an on-going MBE/WBE program. He pledged that all parties would be kept informed of progress in these areas, and of the HRC action at this meeting.

- Cuban-Haitian Refugee Concerns.

Director Mickins asked Jack Casford to discuss followup to date on these concerns. Hank Wilson telephoned Mr. Casford and then Chairperson Lyon March 24 on behalf of Cuban refugees living in San Francisco who, he reported, had received notices that General Assistance and Food Stamps benefits they had been receiving under the federal Refugee Resettlement Program would be terminated April1. Mr. Casford talked with Ms. Trudy Kanner, Program Director, General Assistance, City Department of Social Services.

Ms. Kanner said the letter, sent March 23, came from DSS local Director of the Department of Immigration & Naturalization and announced that the RRP benefit eligibility of 18 months for these clients would end April 1.

The INS issues a card, called I-94, Cuban/Haitian Entrance Status Pending (CHEP). It means the holder does NOT have permanent U.S. residency status. That status is conferred by the INS' A-181 card.

Ms. Kanner said that the local Cuban/Haitian who received the cutoff notice from INS March 23 and following will be receiving in the mail shortly notice that they may obtain an ATP (Authorization to Participate)card to purchase Food Stamps. They may also apply for Aid to Families with Dependent Children and for General Assistance (if childless couples or singles). There is at this point, however, said Mr. Casford, conflicting information on whether local residency requirements of DSS must prevail for them to be eligible for continued benefits, or if their lack of permanent residency status makes them ineligible, (except for AFDC).

Some 291 Cubans or Haitians in San Francisco received the cutoff letters.

Some 1,200 Indochinese also received the same letter, it was reported.

There was strong Commisioner reaction to this report and to the specific issue of Cuban/Haitians welfare benefits being cut-off, which expanded to the whole problem the status of refugees and their eligibility for benefits.

Commissioner Yamakawa said that the HRC will soon be in a posture that requires its taking a position on the question of refugee rights. Commissioner Ambrogi, who is Executive Director of the Archdiocese of San Francisco's Commission on Social Justice, urged that the HRC "become more deeply involved in this issue"and exercise the position of advocacy for these people (Central Americans and others.)

Commissioner Grafilo asked Director Mickins directly if the HRC has authority and resources to undertake this kind of advocacy on this issue and was told that it does under Chapter 12A.

Commissioner Sevilla stated that in his opinion"this Commission can't do enough on this issue," that it should exert its influence to make known that it is the responsibility of the City

to seek federal aid to meet these refugee concerns.

Commissioner Wade suggested that the HRC contact all known advocacy refugee groups in the City to coordinate efforts in this direction.

It was then

**********m/s/c that the Cuban/Haitian refugee issue and the larger refugee issue be referred to the Police Liaison/Social Issues Committee for followup, Commissioner Ambrogi, Moulton and Sevilla asked to be notified of an upcoming meeting being sought by the affected refugees with Ed Farsfield, Director of the Department of Social Services.

- At this point Chairperson Lyon excused herself from the meeting and relinquished the gavel to Commissioner Sevilla who presided for the remainder of the meeting.

STANDING COMMITTEES

POLICE LIAISON/SOCIAL ISSUES
Joan Zamora Moulton/Richard Sevilla, Co-Chairpersons

- Recommended HRC Endorsement of Statewide Handgun Registration Initiative.

Copies of this initiative, which is seeking signatures statewide to place on the November, 1982 ballot a handgun registration requirement, had been circulated in advance to the members of the HRC, in addition to a fact sheet provided by the Californians Against Street Crime organization which is directing the initiative campaign. The HRC has a long history of endorsement of the principle of some measure of control over the private possession of handguns in California and the City.

It was
******m/s/c that the HRC endorse the Californians Against Street Crime Handgun Initiative.

- The Mayor's Handgun Control Ordinance.

This measure, copies of which were provided in advance to the Commissioners, will be introduced April 5 to the Board of Supervisors by Supervisor John Molinari. James E.Buick , Deputy Director, Mayor's Criminal Justice Council, was present to give a brief description of the proposed ordinance, which would amend the San Francisco Municipal Code(Police Code)by adding under Article 32 Sections 3200 through 3211, and would make it unlawful for any person (with 17 exceptions) to have a handgun in his/her possession within the City and County of San Francisco. Violation would be a misdemeanor, and upon conviction, punishment would be imprisonment in the County Jail for from 30 days to 6 months.

Mr.Buick said the Board will refer the proposed ordinance to the Board's Police,Fire & Safety Committee within two weeks after its introduction April 5. It is possible, he said, that the ordinance in its present form may be amended by the Board.

Commissioner Ambrogi, who said he served on the Mayor's Task Force on Handguns, urged that individual Commissioners who support the ordinance undertake in their communities the building of a broad-based consensus through public education for the principle of handgun control.

It was then

*****m/s/c that the HRC endorse The Handgun Control Ordinance.

EMPLOYMENT
Antonio Grafil/Esta Soler-Co-Chairpersons

- Human Rights Commission Guidelines Regarding the Disabled in the Employment and Personnel Processes for City Contractors and Subcontractors. Mary Gin Starkweather, HRC Employment Representative.

Ms. Starkweather had been working with the Subcommittee on Employment of Disabled, of the Employment Committee, for eight months in writing this 11-page set of specific guidelines to be provided all contractors and subcontractors it deals with. Ms. Starkweather commended the members of the subcommittee: Ms. Pat Taber, Assistant Vice-President, Bank of America Employee Assistance Department; Mr. Mort Lankasky, Personnel Office, U.S. Department of Health, Education and Welfare; Ms. Terianne Straw, Director, Employment Project for the Disabled; and Mr. Glen Seaburg, Pacific Telephone & Telegraph Company. She also expressed gratitude for the contributions of Mr. Jim Donald, an attorney for the State Department of Rehabilition in Sacramento, and Mr. Timothy E. Lord, Graduate Legal Assistant, of the same Department for their dedication and expertise in carrying out this project.

She then went through the Guidelines point by point, briefly explaining the purpose of each component, which include: definitions of the disabled (with interpretations and elaborations of the definitions), determination of the disabled (and those who do not meet the definition), the concept of "reasonable accomodations" (structural and non-structural, individualized, etc.) job sitemodification and restructuring, support services, architectural barriers, recruitment, suggested question to ask disabled appplicants, processing guidelines, etc.

Following Ms. Starkweather's presentation, Commissioner Ambrogi commended her and her colleagues for the excellence of the Guidelines document and it was then

*****m/s/c that the HRC adopt the Guidelines Regarding the Disabled in the Employment and Personnel Processes for City Contractors and Subcontractors.

- Commissioner Soler commented that the Employment Committee is committed to periodically re-examining the efficacy and usefulness of the Guidelines documents.

It was also
*****m/s/c (on the recommendation of Commissioner Crafilo) to write individual letters of commendation from the HRC to the members of the subcommittee which researched and wrote the Guidelines.

Commissioner Ambrogi suggested that a Press Release be issued announcing adoption of the Guidelines.

GAY ADVISORY
Richard Sevilla/David K. Yamakawa Jr. Co-Chairpersons

- Committee Report-Commissioner Sevilla.

1. The priorities for the coming year are being discussed and will be adopted shortly.

2. Applications are being sought for member/members of the Gay Committee within the next two months. The Committee advertises openings in the community, screens written applications, and interviews the prospective members.

NEW MATTERS

- Center for Southeast Asian Refugee Resettlement Concerns.

All Commissioners had received copies of a letter to Mayor Feinstein from Michael Huynh, of the Center, regarding "Crimes against Indochinese refugees living in the Hunter's Point housing project: overview, assessment and suggestions."

Director Mickins reported that staff Sally Williams, and members of the Intergroup Clearinghouse, and HRC staff (Joseph Meza) had held a number of meetings to discuss these concerns and try to work out resolution of them. They included housing placement location preferences and security matters. He said he would keep the HRC informed of the progress as these meetings continue.

- HRC Decision on Appeal-F.P. Lathrop Construction Company.

This decision was announced March 11 by the ten Commissioners participating in the hearings and deliberations in this case. Lathrop Construction was barred from bidding for City Contracts for a period of two years(from October 31, 1980) for having "failed to make every reasonalbe effort to meet the Minority Business Enterprise (MBE) goal" for Airport Contract No. 1100, Boarding Area "E".

Mr. Mickins said the Appellants have fifteen days to file a petition in Superior Court to review the commission's decision, from the date of service of this decision. The documents were mailed March 12 and received by registered mail March 3/15.

REMARKS FROM THE AUDIENCE

- Mr. Derrald Etheley stated that he continued to admire the work of the HRC, after years of observing the activities.

CALENDAR MATTERS

Employment	Thursday, April 1, 1982 9:30 AM 1350 Mission Street
Gay Advisory	Tuesday, April 20 ,1982 Noon Main Library Third Floor Commission Room
Housing & Urban Devel.	To be announced
Police Liaison/ Social Issues	Tuesday, April 13, 1982 3:30 PM HRC Offices, Room 509
Youth & Education	Thursday,April 15, 1982 3:15 PM John Adams Community College Center 1860 Hayes Street, Room 136

Adjournment

Respectfully Submitted,

Grant S. Mickins via
Jack Casford

SF
H80
#2
4/15/82

DOCUMENTS DEPT.
MAY 4 1982
SAN FRANCISCO
PUBLIC LIBRARY

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, April 15, 1982
Lurie Room, Main Library

NEXT MEETING

DATE: Thursday, April 29, 1982
TIME: 10:15 AM
Place: Third floor, Commission Room
Main Library, Civic Center

NOTE
See under Calndar Matters Section of these Minutes the schdules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners

Present: Clemente Obregón, (presiding) Samuel Chung, Robert Edwards, Antonio Grafilo, Joo Jung, John C. Morrissey, Rabbi Martin Weiner.

Excused: Thomas Ambrogi, Corinne Lee, Phyllis Lyon, Richard Sevilla, Esta Soler, Brenda Wade, David K. Yamakawa Jr.

Staff Grant S. Mickins, Jack Casford, Stanley K. Lim, Richard Norton, Pansy Ponzio, Vicky Rathbone, Gail Roberts, Mary Gin Starkweather, Essie Thomas. Ed Ilumin was introduced. He has joined the staff as a Housing Specialist under the Office of Community Development grant to the HRC.

Pledge of Allegiance

Minutes of Meeting of March 25, 1982 approved with one correction: Page 4, Paragraph 8 should read: Mr. Mickins said he presently does not know when the car-towing contract sought by Bayview will not be awarded. This eliminates the word"not".

COMMUNICATIONS

- From State Senator Milton Marks, a letter expressing his concern "in the matter of the City's towing contract and the formal complaint filed on behalf of Bayview Towing."

See elsewhere in these Minutes for the Director's comment, at the request of Commissioner Edwards, on this matter.

- From Phillip S. Day, Jr. Director, Office of Emergency Services, announcing the overall exercise plan for the San Francisco Annual Earthquake Exercise (preparedness) to be held April 21, 1982.

- From Steven R. Feldstein, of the law firm of Voltz Cook & Orenstein, representing Castro Lath Plaster Drywall, Inc., announcing he would be filing legal proceedings on or before March 30,1982, which was within the 15 days provided in HRC procedures for parties served with an HRC action. This filing is in connection with the March 11, 1982 HRC Hearing Panel Decision on the Appeal by F.P. Lathrop Construction Company to a Director's Finding on Noncompliance against it issued October 31, 1980.

Director Mickins stated that the law firm did file a petition

in Superior Court for a writ of mandamus asking that the HRC's decision be reviewed and set aside, for failure to recognize Castro as a bona fide Minority Business Enterprise as part of the F.P. Lathrop Construction Company Airport construction contract. The Lathrop firm, Mr. Mickins said, has not, within the time limits set, filed any contest to the finding of noncompliance.

Mr. Mickins and Stanley Lim of the HRC staff have reviewed the issue with the City Attorney, and the week of April 19 an answer will be filed in response to the writ obtained by Voltz Cook & Orenstein for Castro. The Deputy City Attorney representing the HRC is Ms. Judith Boyajian.

- From Robert Tecco, announcement that he is now Acting Director, Purchasing and Services, City Purchasing Department, succeeding James Gavin, who resigned recently.

- From Monte R. Mansir, Classification Supervisor, Civil Service Commission, a copy of a letter to Ms. Pat Jackson, Executive Secretary, SEIU Joint Council , Local 400 (the City employees' union), reponding to a request for notification of any proposed personal services contracts for Rent Board hearing officers.

- From Roger Boas, Chief Administrative Officer, a Memorandum giving the status of the Bayside portion of the Clean Water Program, now five years into construction, with "major portions of the new sewer for the Bayside of the City currently being phased into operation."

- From Lee Perkins, Vice-Chairperson, of the D.C. Human Rights Commission, commending Chair Phyllis Lyon on the HRC's most recent Annual Report.

- From Clemente Obregón, Chairperson, Citizens Committee on Community Development, a Memorandum to recipients of 1982 Community Development Block Grant funds, on the 1982 Community Development Program.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, informing that the Human Services Committee of the Board of Supervisors will conduct a review of the HRC at its meeting April 27 under the provisions of Chapter 2, Article X, San Francisco Administrative Code, Sections 2.70., through 2.91 (the so-called "sunset legislation" calling for annual review of all boards and commission.) Director Mickins urged HRC Commissioners to attend this hearing and announced that he had asked Gail Roberts of his staff to prepare written material for use in this review.

- From Carl A. Meggars, Affirmative Action Officer, San Francisco Unified School District, an inquiry about the HRC's representative ot the District's Affirmative Action Review Committee. Director Mickins announced that Essie Thomas of the HRC staff will continue to serve in that capacity for the HRC.

- From U.S. Senator Alan Cranston, thanking the HRC for sending a copy of its Position Paper Urging Permanent Resident Aliens' Eligibility for Federal Employment (urging revoking Presidential Executive Order 11935 originally issued in 1976 by President Ford), adopted and sent to President Reagan February 11, 1982.

- From Julian D. Munoz, Principal, Group 4/Architecture, Research and Planning, Inc., a copy of a letter to Jason Yuen, Director, Bureau of Terminal Construction, San Francisco International Airport, stating his firm's appreciation for being able to work on a project for the Bureau (renovation of the Airborne Building), and noting that this work has advanced "...our knowledge about airport systems as a whole and also advanced our minority business enterprise to

assume constructive roles in working with Prime Consultants..." Director Mickins noted the direct tie-in with the HRC's MBE/WBE Program being implemented with Airport contractors.

- From Supervisor Lee Dolson, a form letter to City Workers urging that they participate in WalkAmerica, a 32 kilometer walk-a-thon to help the March of Dimes.

- From James H. Johnson, Executive Director, Mayor's Office of Housing and Community Development, submitting guidelines for monitoring the OCD contract compliance projects through the HRC.

- From Peter M. Rebull, President, Suboceanic Consultants of California, Inc. stating in detail his firm's position in reaction to its having been disqualified by the HRC in its proposal for specialty marine inspection services (diving) during the construction of the Southwest Ocean Outfall project of the Clean Water Program. Mr. Mickins stated that the HRC had found that Suboceanic did not qualify as a bona fide MBE. He is reviewing Mr Rebull's letter at the present time.

- From Melvin D. Honowitz, of the law firm of Coffman, Honowitz & Sautter, representing Double-O Trucking, regarding the challenged bona fide MBE status of Double-O Trucking. This letter was read in full. Mr. Mickins said there is a complaint filed with the HRC by another minority-owned trucking firm establishing this challenge. Over the past year, at least two meetings have been held unsuccessfully to try to resolve the problem. Mr. Mickins has had Richard Norton, of the HRC staff, update an earlier audit of Double-O Trucking and the Director is presently reviewing that audit. He expects to have a Director's Finding completed in the near future.

DIRECTOR'S REPORT

- Bayview Towing Contract.- The second low bidder for this City car-towing contract has filed a petition for a writ of mandamus, on which a preliminary hearing was held April 13, asking the City to disqualify Bayview Towing as the low bidder. The HRC had ruled that Bayview did qualify for this contract. Mr. Mickins said that the Acting City Purchaser did award this contract to Bayview (the first low bidder.)

The Director has had further conversations with the office of the Chief Administrative Officer, and has indicated that the HRC will develop a set of questions for the information from the City Purchasing Department needed to develop an MBE/WBE program for that department.

- HRC Budget- The HRC will be discussing its ad valorem Budget request with the Mayor and her staff at 3PM, Monday, April 19. At the same time, the Commission on the Status of Women budget will be reviewed.

Intradepartmental budget allocations to the HRC are set for the next fiscal year, except for a request by the HRC to the Clean Water Program for $118,000 to fund two contract compliance positions and one secretary for monitoring these contracts. The State of California Division of Water Quality has been reviewing the Clean Water Program, Mr. Mickins said, to determine if the Program has not met the affirmative action guidelines they require. Mr. Mickins has met several times recently with the Director of the Clean Water Program, Donald J. Birrer, on this problem.

STANDING COMMITTEES

EMPLOYMENT

Antonio Grafilo/Esta Soler, Co-Chairpersons

- Commissioner Grafilo prefaced this report by expressing his pleasure at the active participation of the regular members of the Employment Committee, and inviting all Commissioners to attend its regular first-Thursday-of-the-month,each month, meetings, at 9:30AM at 1850 Mission Street.

- Proposed Revised HRC Affirmative Action Program for Architecture/ Engineering (A/E) Consulting Contracts-Vicky Rathbone, Contract Compliance Officer.

Ms. Rathbone, staff to the Employment Committee, discussed salient parts of the 20-page Program document that includes special sections on the purpose and applicability of the Program, and on responsibilities under it, gives the Procedure for Contract Award, Other Forms of Procurement and Contract Amendments, provides definitions of disability ,and of what constitutes bona fide Minority Business Enterprise (MBE) and Woman-Owned Business Enterprise (WBE) and Small MBE/WBE's, outlines compliance criteria to be applied to the foregoing, workforce goals, training goals, etc., and includes samples of forms to be completed by Prime Consultants and Joint Venture Partners, and by Subconsultants, and guidelines for the affidavits that must be submitted by MBE/WBE for architecture & engineering consultant contracts.

Ms. Rathbone noted that the present document represented the third annual revision since 1979 of this basic material.

The major change this year was the development of specific contract award procedures. Previously, the HRC had always accommodated the procedures requested by the awarding agency. The new Program corrects this deficiency. The proposed procedures were adopted after extensive distribution in the Architecture C/engineering community, discussions with all the City's awarding agencies, and four public hearings before the Employment Committee. Ms. Rathbone stated she was confident that the proposed procedures were sufficiently flexible to correspond with the nature of consulting, the need for the City to select the most qualified firms, and the goal of maximizing MBE/WBE participation.

The San Francisco Clean Water Program requires the HRC to evaluate consultant proposals as submitted, and to determine them responsive/ non-responsive to the affirmative action requirements. The HRC is not allowed to negotiate any details of the proposal with the consultant, as it has determined that this may interfere with the competitive process. Non-responsive firms are excluded from further consideration in the selection process.

The HRC staff gave much thought to extension of this system Citywide, Ms. Rathbone said. However, during the period of public discussion little support was formed for such a proposal. Most input received was to the effect that the HRC procedures should allow maximum flexibility to the awarding agency to select the most qualified consultant and maximum flexibility to the HRC to ensure that this consultant maximize the affirmative action requirements. Following this approach, the new program provides that the only firms that should be disqualifed on the sole basis of their affirmative action

submittal are those firms determined to have made no initial good faith effort to meet the affirmative action requirements. In all other cases it was felt the HRC should be given the opportunity to discuss the affirmative action submittal with the aim of maximizing the opportunities provided through the Program. This is particularly important for MBE/WBE participation. The scope of work in consulting contracts is often unclear at the time the request for Proposal is issued. In addition, proposals do not normally address all details of a project. There are frequent opportunities to increase MBE/WBE participation following discussions between HRC staff, the awarding agency, and the potential consultant. A responsive/non-responsive determination to the original submittal would forego these opportunities and could result in a contract award to a less-qualified firm and/or lost possibilities for MBE/WBE participation,

Following the document itself, Ms. Rathbone then went through it chronologically, pointing out what changes had been made, what had been added or removed, and so forth. She noted, for example, that for the first time this document now defines the responsibilities required of awarding agencies, and the prime consultant or joint venture partners in complying. Added to the factors for consideration of bona fide MBE or WBE firms were: 1. whether the minority or woman owner controls managment of the day-to-day operation of the business in such areas as contract negotiation and management, technical and cost proposal.

2. Whether the minority cr woman owner works on a daily basis in the firm.

3. Whether the minority or woman-owned business has a permanent and independent place of business.

Commissioner Morrissey questioned Ms. Rathbone on the applicability of the latter factor to independent contractors working in their homes. He was told the presence of equipment such as photographic equipment or a drafting table would be evidence of a "place of business."

Definitions of who qualifies as a minority, woman, or disabled person trainee have been updated in these guidelines.

The HRC Employment Goals, expressed in percentages, are based on the actual employment of minorities and women in Bay Area A/E firms submitting proposals to the City in 1979-81, Ms. Rathbone stated, and,in response to questioning from Commissioner Morrissey, she said the specifice breakdown into various professional specialities of engineers, for example, was in response to requests from the professionals themselves.

The forms, she said, were changed in order to make them easier to work with, and the form required of small MBE/WBE's includes more precise directions on submitting average gross receipts and numbers of employees.

- Commissioner Chung interjected that he would prefer that in the future changes or additionsor deletions in the basic A/E Affirmative Action Program document be listed separately for the convenience of Commissioners.

***** Following Ms. Rathbone's formal presentation, she paid special tribute to Mrs. Grace Markham, a Clerk-Typist with the HRC who spent many hours typing the Program document, incorporating many changes and addition, and planning the lay-out,

- Commissioner Morrissey reiterated his previous position that it is not within the jurisdiction of the HRC to adopt a Program document

that has a component to encourage small business. He said that it is his belief that bigness or smallness is not related to the past or present discrimination of minorities, including women.

His motion to delete all references in the Affirmative Action Program under discussion to "small MBE/WBE" or the word "small" wherever it appeared failed for lack of a second.

Director Mickins recalled that during Commissioner Morrissey's term as Chairperson, when he had stated this position, a number of small minority businesses had appeared before the HRC, stating that their inability to obtain design contracts, such as contracts for work at the San Francisco International Airport at the time, stemmed in part from the fact that large, national and multi-national minority firms could out-bid them . He said that he felt that these people should again be asked for their input before the HRC might act to delete the Small MBE/WBE section of the Affirmative Action Program.

Commissioner Morrissey said that he interprets the HRC jurisdiction as "1) Seeing that there is no present discrimination against minorities or women, 2) correcting whatever past injustices have occurred by reason of past practices." He said that he thought these two concerns are important to the HRC irrespective of size.

- Commissioner Moulton expressed objection to a paragraph under "minority" definitions in the instructions for Form 3, Affidavit-HRC A/E, Minority or Woman-Owned Business Enterprise Certification Form, which read: " a. The category "White" (not of Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East."

Ms. Rathbone said that this separate category definition for "White" was at the request of White women who own businesses, who felt they needed a specific category on the form where they could list themselves, since they could not do so under the various ethnic minority categories.

After discussion of classification and self-classification examples, it was

*****m/s/c that the HRC delete the "White" definition under minority terms on the first page of the Information & Instruction sheet for Affidavit-HRC A/E Form 3, Minority or Woman-Owned Business Enterprise Certification

- Commissioner Moulton also expressed her disagreement with the definition, in this same section, of the category "Hispanic", and asked if she could vote to adopt the Affirmative Action Program document with the exception of "Hispanic" category.

It was then

*****m/s/c to adopt the Affirmative Action Program (as Revised 1981) Architecture/Engineering (A/E) Consulting Contracts as discussed, with the condition as stated above pertaining to Commissioner Moulton's objection to the wording of the category "Hispanic".

- Public Utilities Commission-Minority Business Enterprise/Women Business Enterprise Quarterly Report (as of December 31, 1981)-George L. Newkirk, Director, Minority Business Enterprise/Contract Compliance Office, PUC.

This document covering the last quarter of 1981 was submitted by

Alberta O. Grant, MBE/Contract Compliance Officer, through Mr. Newkirk.

The report preceding this one, Mr. Newkirk said, revealed that the PUC had 10% MBE/WBE participation on contracts totaling $30,169,549. This report contains detailed information on twenty-eight construction contracts totaling $15,267,967, of which $2,016,806.57, or 79%, of the subcontract total of $2,542,387.70 went to MBE/WBE firms. Tables attached to this report showed the major construction work of the three departments of the PUC (Municipal Railway, Water Department, and Hetch Hetchy Water and Power) showing each activity by contract description, value of contract, number of subcontracts per contract, and the dollar value of MBE/WBE contractor participation. Mr. Newkirk said that when the contractor has no need of subcontractors, an attempt to made to maximize the use of minority and women employees related to the work.

Mr. Newkirk said also that in the calendar year 1982-83, approximately $34,542,579 is expected to be spent for PUC construction contracts, and that his office expects to achieve an established goal of 25% MBE/WBE participation for subcontracts, and 20% overall.

Thus, minority and women-owned firms obtained 13% of the total dollar value of all contracts in thelast quarter of 1981, 79% of the total dollar value of all subcontracts, and 66% of all the number of contracts let.

Mr. Newkirk described how the PUC, in a joint venture (Van Hook Electric/L.K. Comstock was able to convince the major electrical contractor (Comstock) to teach the minority firms (Van Hook) the type of (overhead) electrical work that will be required in a four-year project to electrify the MUNI diesel transit lines and re-do old trolley lines. It had been virtually impossible to find MBEs on the West Coast, Mr. Newkirk said, to do overhead electrical work, since it is rarely in demand (Seattle and San Francisco are the only two cities with trolley lines).

Commissioner Weiner and others expressed the wish that such cooperative efforts could have wider publicity. The PUC, said Mr. Newkirk, had issued a press release on the subject some time ago.

It was then (with commendation to Mr. Newkirk and Ms. Grant for the excellence of the report),

*****m/s/c that the HRC accept the Quarterly Report (December 31, 1981) on Minority Business Enterprise/Women Business Enterprise of the Public Utilities Commission.

YOUTH AND EDUCATION
Rabbi Martin Weiner, Brenda Wade, Co-Chairpersons

No. Report.

New Matters

- Police Liaison/Social Issues Committee/Cuban-Haitian Refugees Benefits Crisis-Commissioner Moulton, Jack Casford.

Mr. Casford reported to the HRC March 25 on this issue, which began for the HRC with a telephone call on behalf of a number of Cuban/Haitian refugees from Hank Wilson, who operates the Zee Hotel in San Francisco where a number are resident. They had received notice in late March that their benefits under the federal Refugee Resettle-

ment Program of the U.S. Department of Health & Human Services were being terminated as of March 31. This was a program that was to have lasted 36 months and was shortened by federal order thrcugh these notices to 18 months.

Some 280 to 300 Cuban/Haitian refugees were affected.

March 25 the HRC asked staff to keep informed on this issue. Jack Casford has been in virtual daily touch with various sources in the community, including the Mayor's Office and the Department of Social Services.

U.S. District Court Judge Stanley Weigel issued an order extending the benefits for one month. The federal government obtained, briefly, a U.S. Court of Appeals restraining order, but that court reversed itself a day later.

The Police Liaison/Social Issues Committee heard a status report on the situation at its April 13 meeting, and at that time it voted to ask the HRC to authorize the sending of a letter to Mayor Dianne Feinstein, urging that she"use the authority of her office to assure continuation of sorely-needed General Assistance and other benefits for Cuban/Haitian refugees now residents of the City and County."

It was

*****m/s.c that authority for this letter be granted. A full copy of this letter is attached to these Minutes.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, April 29 (not April 22, as earlier announced) in the Third Floor Commission Room of the Main Library in the Civic Center at 10:15 AM.

STANDING COMMITTEES

Employment	Thursday, May 6,1982 9:30 AM 1850 Mission Street
Gay Advisory	Tuesday, April 20,1982 Noon Main Library,Third Floor Commission Room
Housing & Urban Development	To be announced
Police Liaison/ Social Issues	Tuesday, May 18, 1982 3:30 PM HRC Offices, Room 509
Youth and Education	Thursday, April 15 and May 20,1982 3:15 PM John Adams Community College Center 1860 Hayes Street, Room 136

No Remarks from the Audience

Adjournment

Respectfully submitted

Grant S. Mickins,
via Jack Casford

The Honorable Dianne Feinstein
Mayor, City and County of San Francisco
Room 200, City Hall
San Francisco, Ca. 94102

Dear Mayor Feinstein:

The Human Rights Commission at its regular meeting April 15, 1982 asked that I write you on its behalf urging that you use the authority of your office to assure continuation of sorely-needed General Assistance and other benefits for Cuban/Haitian refugees now residents of the City and County.

This issue, which has occupied much local attention in recent weeks since a cutoff of benefits under the federal Refugee Resettlement Program was precipitously announced in a letter to them in late March, is the HRC understands, one directly disaffecting approximately 280 Cuban/Haitian refugees who are largely without linguistic or other resources at this time.

There have to date been court actions on the part of federal officials representing the U.S. Department of Health and Human Services, and a present ruling by the U.S. District Court (Judge Stanley Weigel) continues refugee benefits only through April.

We urge that you and other officials in City government move to prevent these refugees from being cut off from the basic benefits they are humanely entitled to receive.

We wish to express our appreciation in advance for any efforts your office may achieve towards rectifying this serious problem.

Sincerely,

Grant S, Mickins

GSM:bclp

cc: Ms. Zoraina Harris, Office of the Mayor
Hank Wilson
Commissioner Joan Zamora Moulton
Commissioner Richard Sevilla
Ms. Trudy Kanner, Program Director, General Assistance
Dept of Social Services.

SF
H80
#2
4/29/82

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, April 29,1982
Commission Room, Main Library

NEXT MEETING

****
*DATE: Thursday, May 13, 1982 *
*TIME: 10:15 AM *
*PLACE: Third floor, Commission Room *
Main Library, Civic Center
****

DOCUMENTS
1982
PUBLIC LIBRARY

NOTE
See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners

Present: Phyllis Lyon (presiding), Thomas Ambrogi, Robert D. Edwards, Antonio Grafilo, Joe Jung, Corrine Lee, John C. Morrissey , Joan Zamora Moulton, Richard Sevilla, Esta Soler, Brenda Wade, Rabbi Martin Weiner, David K. Yamakawa Jr.

Excused: Samuel Chung, Clemente Obregón.

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Juan Cruz, Linell Harden, Don Hesse, Ed Ilumin, Stanley K. Lim, Bernedette Patrocinio, Pansy Ponzio, Vicky Rathbone, Gail Roberts, Lydia San Filippo, Mary Gin Starkweather, Essie Thomas, Sally Williams, Jackie Winnow.

Pledge of Allegiance

Minutes of April 15, 1982 approved with one correction: Page 5, Paragraph 3, should read: 2. Whether the minority or woman owner is specialized in and can assume responsibility for the professional services provided by the firm. (Added words underlined).

COMMUNICATIONS

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, on behalf of Supervisor Harry G. Britt, requesting information on what benefits, services, or special rights or privileges are available at the HRC for either the spouses of City employees or spouses of recipients of City services or City benefits. This letter was read in full. Director Mickins said the inquiry is inapplicable to the HRC.

- From Henry Der, Executive Director, Chinese for Affirmative Action, (with copies to the National Association for the Advancement of Colored People ,the Mexican-American Legal Defense and Educational Fund, Officers for Justice, East-West, and Asian Week,) a letter addressed to Mayor Dianne Feinstein and Police Chief Con Murphy regarding an incident at Judah Street and 19th Avenue on April 10,1982, where seven youths were shot, and protesting a comment attributed in direct quote to a Police officer in a San Francisco Examiner article printed April 11 that "Racial slurs were made, we really don't think this was a racial thing. It seems more like bad timing." Mr. Der wrote that the most of the seven youths wounded were racial minorities and their alleged assailants were white males. Mr. Der urged a full investigation of the incident for any possible civil rights violation.

Director Mickins read this letter in full. In ensuing discussion, he said that this might be a matter that the Intergroup Clearinghouse could look into.

- From Mayor Feinstein, an April 16 Memorandum regarding leave requests guidelines for all department heads, commissions, and staff. Copies of these guidelines were sent to all members of the HRC April 22, and their leave requests are filed with the Mayor's Office in accordance with these guidelines, which include requirements that the purpose of the trip be stated, the specific nature of the City business, if any, to be conducted, the destination, phone number and contact location, and the source of funds for the trip, all to submitted one week prior to the planned departure.

- From Dean L. Macris, Director of Planning, Department of City Planning, a Memorandum regarding the revised housing element of the Master Plan and the schedule of public hearings on the Environmental Impact Report.

DIRECTOR'S REPORT

- HRC Budget.

The Chairperson and the Director met with Mayor Feinstein recently to review the budget request for the next fiscal year and that budget, at approximately $450,000 (from ad valorem funds), to be supplemented by other increments, has been approved, along with the budget for the Commission on the Status of Women, which was also represented in the meeting with the Mayor.

The City Budget still has to be approved by the Board of Supervisors

- "Sunset" Hearing.

This review of HRC activities, required by law for all City departments and commissions,was held April 27, when the Chair and Director Mickins ,with Gail Roberts and David Treanor of his staff, met with the Human Services Committee of the Board of Supervisors. The Committee voted to recommend by Resolution to the Board of Supervisors that the HRC be approved to continue as a City department for another three years, when another review according to law will be required.

- Bayview Towing.

Alice Barkley, Deputy City Attorney, represented the HRC when a petition from the second low bidder on the disputed contract for a writ of mandumus was heard before the Superior Court. The Court refused to issue a Temporary Restraining Order. The HRC had ruled, as reported earlier, that Bayview qualified for this contract (to tow abandoned vehicles for the City).

Director Mickins announced that he is now drawing up a proposal for an MBE/WBE program to be presented to the City Purchasing Department.

- Joseph Meza Resignation.

Deputy Director Meza, a charter member of the HRC in 1964, and the senior staff member for many years, has announced his resignation, which will take effect fomrally July 17, 1982. He will be on extended leave time and not active in staff work until then.

- See under New Matters section of these Minutes for action by the HRC to honor Mr. Meza.

California Association of Human Rights Organization (CAHRO).

Director Mickins will attend this annual conference in Los Angeles May 5,6 and 7.

STANDING COMMITTEES

EMPLOYMENT
Antonio Grafilo/Esta Soler-Co-Chairpersons

- Review and Public Comment on HRC's Policy on Racial and Ethnic Designations Regarding the Definition of "Hispanic" in Reference to National Origin.-Esta Soler.

Presentations by nine speakers from the community and HRC staff and discussion by the Commissioners covered a period of nearly two hours before action on the issue was taken by the HRC.

The first speaker was Commissioner Carlota Texidor del Portillo, now a Commissioner of the Civil Service Commissions, and a former member of the HRC. She greeted the HRC as "friends", and noted that she continues to enjoy and read in full the Minutes of the HRC.

She said she appeared to endorse the position of the Mexican-American Legal Defense and Educational Fund (called MALDEF in these Minutes) that the HRC's present definition of "Hispanic" delete the phrase "other Spanish culture or origin."

NOTE: The definition adopted June, 12, 1980 by the HRC's Employment Committee is:" The category 'Hispanic': All persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race."

She urged that the HRC consider that its definition will be seen as a guideline by other agencies and administrations in working to achieve an integrated workforce, and said that the intent of the Hispanic movement in this country has been to assist persons from Caribbean, Mexican, Central and South American countries to equal opportunity.

Mary Gin Starkweather, HRC Employment Representative, then read from her long written staff report on the issue of the Definition of"Hispanic" Regarding Minority Business Enterprise eligibility.

That report, verbatim:

Chronology

June 1980- In response to a need expressed by Human Rights Commission staff and City contractors for a uniform method of categorizing racial/ethnic minorities, a draft proposal was presented to the HRC and the HRC Policy on Racial and Ethnic Designations was adopted, June 12, 1980.

Objections to certain definition were raised by Commissioners Chung, Pius Lee, Joan Zamora Moulton.

Commissioner Moulton expressed her wish to consider a more clear definiton on what is meant by "Hispanic". The Commission referred the matter back to the Employment Committee where it was calendared.No interested parties appeared and the matter subsequently was closed.

January,1982 Commissioner Moulton, at a regular HRC meeting, again raised the issue of revising the HRC definition of "Hispanic". The matter was referred to the Employment Committee for re-calendaring in February , 1982.

February, 1982- The Employment Committee heard limited testimony on the issue. Two members of the public spoke in favor of retaining the HRC's present definition. No one from the public appeared to testify against the present definition. However. HRC staff presented written testimony which included a July 8, 1980 letter from Carmen Estrada of MALDEF, a letter from Commissioner Moulton, and a newspaper article from the Stockton Record (12/28/81)

At the Employment Committee, it was m/s/c without objection to recommend that the Commission retain the present definition of Hispanic as it stands.

The definition of "Hispanic" presently in use by the Human Rights Commission, has adopted June 12, 1980, read as follows: "The category "Hispanic": All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race."

The above definition was adopted pursuant to Chapter 12B.2(f) (9) which states that "The Human Rights Commission shall promulgate rules and regulations.. and such rules and regulations shall, so far as is practicable, be similar to those adopted in applicable Federal executive orders."

The Office of Federal Contract Compliance Programs, which monitors compliance with Executive Order 11246, uses the identical definition of "Hispanic" as cited above.

This report reflects extensive research by staff to determine which definitions of "Hispanic" are currently in use by federal and State agencies when contracting out for goods and services.

State of California Definitions:

On Form *OMBE-4 (2/81) - Ethnic Information and Codes, Hispanic American is defined as: "Includes all people of Mexican, Puerto Rican,Cuban,Central or South American Descent. (This does not include White female married to Spanish Surnamed Male)".

*OMBE stands for Office of Minority Business Enterprise, which is a section of the State Department of General Services. Staff contacted the OMBE in Sacramento and the staff person there that he was not aware that Spainards had been excluded from their definition from the Federal Minority Business Development Agency (MBDA).

Federal Definitions

Minority Business Development Agency

Staff spoke with a representative of the MBDA who stated that their only definition of Hispanic was "Spanish-speaking American." When further questioned, she expanded the definition to include "citizen or resident" and said the person didn't really need to speak Spanish but could be monolingual in English and still qualify for assistance if he/she had a Spanish surname.

Their definition does not specifically cite country of origin. The MBDA recognizes a person based on self-identification and/or community recognition. They do not question an applicant if the person claims he/she is Hispanic.

The MBDA will accept documentation such as a birth certificate, but does not require it, and persons with origins in Spain are not excluded from the program.

Department of Transportation

Vol 45, No. 63 of the Federal Register March 31,1980 Rules and Regulations of the Department of Transportation (DOT),"Participation by Minority Business Enterprise in Department of Transportation Programs', defines "Hispanic-a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Carribean Islands."

However, in Vol 46,No 237 of the Federal Register December 10,1981, Rules and Regulations of the Department of Transportation " Definition of "Hispanic" in Department of Transportation Minority Business Enterprise Regulation, the definition was amended to read "Hispanic - persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race." This definition is in conformity with a "standard Federal definition of Hispanic found in Office of Federal Statistical Policy and Standards Directive No. 15." According to the Federal Register under Supplementary Information: Comments Received, "members of Hispanic organizations and other members of the public began to express their dissatisfaction with the(March 31, 1980) definition of Hispanic.. ...Virtually all favored a change which would include individuals with origins in Spain or Portugal... The most important rationale for such a change was that discrimination against Hispanics occurs regardless of their place of origin. The few comments opposing change in the definition were not specific."

Department of the Interior

Staff spoke to a contracting officer of the Department of the Interior. She stated that the definition of Hispanic currently in use was virtually the same as the MBDA's (Spanish-speaking American.). The Department of the Interior asks for forms to be returned with a bid package which asks if one is an MBE. There is no specific question which addresses the contractor's racial/ethnic identity. The Department of the Interior has a single goal to procure as many minority businesses as possible. There are no specific goals for each minority.

According to the Federal Procurement Regulations, federal departments must rely on the contractor's written certification and the contracting officer is not supposed to challenge it. The regulations state that the contracting officer or contractor when seeking a subcontractor "may rely on written representation in lieu of an independent investigation."

Therefore, the contract officer at the Department of the Interior never questions the MBE's country or origin. She said the only minority who is required to provide documentation is the American Indian, who must produce papers from the Bureau of Indian Affairs to prove his/her ancestry.

The Department of the Interior also relies heavily on the Small Business Administration (SBA) for MBE referrals through SBA's "8A Program."

Small Business Administration

Staff spoke with a representative of the SBA, who said that the current definition in use by them is "Hispanic - a person of Mexican, Carribean, Central America, South America, or Iberian culture and ancestry." ..."Iberian culture and ancestry" includes not only persons from Spain but persons from Portugal as well. The SBA provides technical assistance to small and minority-owned businesses to prepare them to be competitive in the bids for Federal contracts.

Ms. Starkweather's report also included attachments of supportive documents referred to in her narrative, and communications from the public regarding the proposed change in the definition, including a letter dated July 8,1980 from Carmen A. Estrada, MALDEF,to Commissioner Moulton, an a article from the Stockton Record dated December 28, 1981 regarding Hispanics, a letter dated February 20,1982 from Laura Rodriguez to Chairperson Lyon, and a letter dated April 19,1982 from Ms. Estrada to Chairperson Lyon. Ms. Rodriguez supported retention and Ms. Estrada, for MALDEF,supported deletion of the phrase cited above, eg. "other Spanish culture or origin."

Carmen A. Estrada , Director, Employment Litigation, MALDEF, then made her presentation. She said she found the staff report which preceded lacking in clarity, and that she was present to urge that the HRC-approved definition of "Hispanic" (for purposes of contracting only) limit those persons covered solely to those from Western Hemisphere peoples, and excluding European Spainards.

With Ms Estrada's presentation, there were distributed to all members of the HRC packets of material including: a letter to Commissioner Moulton from Robert E. Gonzales (former member of the Board of Supervisors): a letter from C. Mackey y Salazar to Commissioner Moulton: a letter from Carmen Carillo, Ph.D., Director of the Mission Mental Health Center, to Chairperson Lyon; a letter from Fernando Cosio, Executive Director, Mission Community Legal Defense Inc., addressed to all Commissioners; a letter from Gene Royale, Coordinator, Student Affirmative Action, and Roberto Rivera, Chair, Department of La Raza Studies, San Francisco State University, to Chairperson Lyon; and a letter from Ramiro Castro, Esq. Executive Director, La Raza Central Legal, Inc. all supporting the MALDEF position on deletion of the phrase cited, plus a form letter from Stim Suzuki, Chief, Small and Minority Business, Procurement Assistance Division, Department of General Services' Small and Minority Business Procurment Assistance Division, with the Hispanic American definition they use:"Includes all people of Mexican, Puerto Rican, Cuban, Central or South American descent. (This does not include white female married to Spanish surnamed male.) :"a copy of the "Ethnic Information and Codes" form used by the aformentioned Department as well as other state departments: the California State Contracts Register; and an article from the Stockton Record of December 28,1981 headed "Hispanics, Unlike Other Groups, Retaining Their Traditions."

In addition, there was distributed a letter from Jose R. Guerrero, Attorney, Public Advocates, Inc. to Chairperson Lyon urging that the phrase "other Spanish culture or origin be deleted.

Ms. Estrada said the fact that there were no supportive (for retention of the phrase) letters form European Spanish civil rights groups was one indication that there has not historically or currently been the same level or pattern of discrimination in this country against this group as there has been against Western Hemisphere Hispanics. She conceded that there may be individual instances of discrimination against European Spainards, or based on wealth or class. She emphasized the historical pattern of discrimination against Western Hemisphere Hispanics, and stated, in response to a question from Commissioner Ambrogi on the possible effect a changed definition might have on the definition in Executive Order 11246 (issued by President Johnson in 1965 establishing the federal policy of nondiscrimination in employment by contractors and subcontractors), "When you have a limited number of contracts, those contracts should go to those who have been discriminated against."

Ms. Estrada suggested that the HRC might retain its sterling definition, but adopt a tangent policy stating that it will give priority to Western Hemisphere Hispanics because of historical discrimination, which, she said, cannot be documented for European Spainards. Theoretically, she said, all European Spanish contractors, under the present HRC definition, could obtain contracts and it would fulfill the MBE goal.

- Commissioner Moulton stated that she understood that a contractor recently obtained a City contract as an MBE having produced the Spanish birth certificate of his mother.

Ms. Estrada also suggested that the "Hispanic" definition could include a statment that it is limited to contracting only.

Director Mickins asked Ms. Estrada if there could be difficulty for the HRC if a policy were adopted limiting,(on national origin)in this way, and if an individual contractor came to the HRC claiming that he/she could document discrimination on an individual basis,would this be the type of proof required? Ms. Estrada said she meant that the proof of discrimination should be on a group basis only.

Rosa Perez, Vice-President, City College of San Francisco, a former ethnic studies instructor, said she wished to express her anger that Hispanics should "have to compromise" on the term they choose to call themselves. She said disputed phrases in effect forced Hispanics to "label ourselves with our colonizers." She cited the movement within "people of the Americas" to identify with their Indian roots, not their Spanish roots.

Ricardo Garcia, Acting Executive Director of the Greater East Bay Chamber of Commerce, urged that any definition decision focus on developing a new category that would include all historically-discriminated groups, including gays, Spainards, and short people, sensitive to the historical definitions of all minority people.

Diana Marin , Equal Employment Opportunity Unit, Civil Service Commission, a member of the HRC Employment Committee, urged that the "Hispanic" definition adopted by the HRC in JUne of 1980 be retained. She charged that current attempts to change it are "political" in motivation, and that she works with all people, regardless of their defined minority status, in affirmative action in employment.

Sylvia Castellanos,EEO Unit, Civil Service Commission, and a former member of the HRC's Employment Committee, said in her opinion it does not make sense to exclude a group (from the definition) on the basis of national origin. She said Spainards (European) also face discrimination.

Fernando Cosio,Executive Director of the Mission Community Legal Defense, and a co-chairperson of CREAR (Council for La Raza Education, Assistance and Resources) said that the City's "Hispanic" definition will have repercussions statewide. He described the origin of the word "Hispanic" as coming from "Hispanidad", a social movement in Central and South America. He described work he did with others in planning Mexican-American studies programs at San Francisco State University, wherein it was agreed that Spanish and Portuguese were not economically or culturally similar to Western Hemisphere Hispanics/Latinos/Mexican-Americans. Mr. Cosio said that he favored deletion of the Spanish reference in the "Hispanic" definition becuase it is "practically and economically not functional."

Tom Crespin, East Bay Hispanic Chamber of Commerce, said it was up to the HRC to make the decision on the "Hispanic" definition.

Lydia San Filippo, an HRC Contract Compliance Officer working with San Francisco Internaticnal Airport Contractors, stated that during her work at the Airport she had been following the definitions as outlined by the U.S. Department of Transportation, and that the terminology she was working with had clearly and specifically eliminated Spanish and Portugese. However, the definitions were changed, in December of 1981, to include Spanish and Portugese, in part because of lobbying by East Coast representatives of those two groups.

Ms. San Filippo then read in full the letter from Jose R. Guerrero, Attorney, Public Advocates Inc., expressing grave concern over the HRC definition of "Hispanic", and suggesting that the phrase "other Spanish culture or origin" be deleted " so that non-minority Eurpoeans are not included..." Mr. Guerrero stated that this position is based on his firm's experience which indicates that Mexican, Puerto Rican, Cuban, Central American and South American persons are, as a group, more economically disadvantaged. Mr. Guerrero called the current HRC "Hispanic" definition "overly broad....not only morally indefensible, but.... a serious legal question as to its legality in light of the purpose and intent of affirmative action programs."

Ms. San Filippo said that she felt that the discussion under way should have taken place two years ago (referring to 1980 when the HRC's Employment Committee was reviewing definitions) and that self-definition by a community was an issue that had been taken up previously by the Filipino community, as long ago as 1968 at San Francisco State University, and in 1973 and 1974 with the HRC. The HRC and the State about that time began requiring employers to list Filipinos separately on workforce breakdown reports for affirmative action purposes, and Ms. San Filippo said that this had in effect established a precedent for community self-definitions.

Following these presentations, there was protracted discussion among the Commissioners on how to take action on the issue.

Commissioner Sevilla summarized what he felt were the three options open to the HRC at this point:

1. Accept the recommendation of the Employment Committee that the HRC retain the present definition of "Hispanic" as it stands.

2. Not accept the recommendation and refer further discussion to the Administrative Committee.

3. Not accept the recommedation of the Employment Committee and move to change the definition of "Hispanic" of June 12,1980.

Vicky Rathbone, staff to the Employment Committee, reminded the HRC that the Employment Committee had voted to recommend that the definition of "Hispanic" be retained as currently worded.

Commissioner Grafilo, co-Chairperson, moved, and Commissioner Morrissey seconded, that the HRC delete the phrase "other Spanish" from the "Hispanic" definition.

Ms. Rathbone also stated that the Employment Committee had, since 1980, considered the definition of "Hispanic" four times, and that the HRC should note that fact, and the fact that it had recommended that the present definition be retained as is, and that in her experience the Chairperson of that Committee was obligated to move adoption of Committee action before the HRC. Commissioner Soler, Employment Committee Co-Chairperson, then moved adoption of the recommendation.

Commissioner Yamakawa said he was not moving this action because he is no longer Chairperson of the Employment Committee.

After much further debate, with motions, which were seconded, but not acted on, to: accept the Committee recommendation, amend the definition, add limiting conditions to the definition("limited to persons of Western Hemisphere descent"), etc., it was

*****m/s/c that the HRC refer further discussion on the definition of "Hispanic" to the Administrative Committee to bring back a recommendation to the HRC at its May 13 regular meeting.

GAY ADVISORY
Richard Sevilla/David K. Yamakawa Jr. Co-Chairpersons

- Requested Endorsement of Coming Out, a Re-entry Program for Gay Men and Lesbians Released from Jail or Prison.

A draft proposed letter addressed: To Whom It May Concern was provided in advance to the HRC.

It was
*****m/s/c that the HRC approve endorsement of the Coming Out Program and authorize sending a letter stating this endorsement. A copy of this letter is attached to these Minutes.

YOUTH AND EDUCATION COMMITTEE
Brenda K. Wade/Rabbi Martin Weiner-Co-Chairpersons

- Committee Report postponed to the next regular meeting.

NEW MATTERS

Commissioner Sevilla asked that a proposed bill, H.R. 5872, be referred to the Police Liaison/Social Issues Committee. In this connection, Commissioner Sevilla also distributed copies of a draft proposed Resolution Denouncing Deportation Raids on Undocumented Workers by the U.S. Department of Immigration & Naturalization Services.

- Resolution of Commendation to Joseph A. Meza of His Retirement Effective July 17, 1982.

Director Mickins reviewed the highlights of this formal Resolution to honor Joseph A. Meza, a charter member of the HRC in 1964, and a staff member and Deputy Director of the HRC. The Resolution was written by Jack Casford. It was

*****m/s/c that the HRC adopt and forward to Mr. Meza this Resolution of Commendation. A copy is attached to these Minutes.

- Statement of Economic Interest.

Commissioners were reminded that these documents, required annually, must be turned in to him.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, May 13, 1982 in the Third Floor Commission Room, of the Main Library.

STANDING COMMITTEES

Employment	Thursday, May 6, 1982 9:30 AM 1850 Mission Street
Gay Advisory	Tuesday, May 18,1982 Noon Main Library, Third Floor Commission Room
Housing & Urban Development	To be announced
Police Liaison/ Social Issues	Tuesday, May 18,1982 3:30 HRC Offices, Room 509
Youth and Education	Thursday, May 20,1982 3:15 PM John Adams Community College Center 1860 Hayes Street, Room 136

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins via
Jack Casford

Attachment #1

City and County of San Francisco

HUMAN RIGHTS COMMISSION
Office of Contract Compliance
Office of Dispute Resolution

April 22, 1982

TO WHOM IT MAY CONCERN:

The Human Rights Commission, at its regular meeting of April 29,1982, approved endorsement of Coming Out, a re-entry program designed to assist Gay men and Lesbians released from jail or prison.

As this program is the only one of its kind attempting to reach a segment of the community that has historically been overlooked or discriminated against, we find the concept of helping these ex-offenders to be of prime importance. The program will serve a need as yet unfulfilled and will ensure that this underserved population gets services in the hopes that they may re-enter society as full participants.

Thank you.

Very truly yours,

Phyllis Lyon
Chairperson

PL:vee

(415)558-4901 Suite 501, 1095 Market Street San Francisco,94103

City and County of San Francisco

Attachment #2
HUMAN RIGHTS COMMISSION
Office of Contract Compliance
Office of Dispute Resolution

RESOLUTION OF COMMENDATION TO JOSEPH A. MEZA
ON HIS RETIREMENT EFFECTIVE JULY 17, 1982

WHEREAS, Joseph A. Meza was a charter member of the Human Rights Commission, appointed by Mayor John F. Shelley in 1964; and

WHEREAS, Joseph A. Meza was an integral figure in the development of the mandate of the Human Rights Commission, and served it continuously in fact and in spirit for the next 19 years; and

WHEREAS, Joseph A. Meza moved from membership as a Commissioner to a key staff position as Community Organization Representative in June of 1966; and

WHEREAS, Joseph A. Meza served on staff until he joined the staff of Mayor Joseph A. Alioto as the Mayor's Assistant for Youth Affairs in May of 1969, rising to Assistant Deputy, and then Deputy for Social Programs serving until 1976; and

WHEREAS, Joseph A. Meza became Interim Director of the HRC in 1976, and then Deputy Director in 1977, serving with diligence, devotion, great skill, and loyalty until this retirement; and

WHEREAS, Joseph A. Meza has, through his quiet, effective, expert work, immeasureably enhanced the reputation of the HRC and contributed significantly to the cause of protecting and enhancing basic human rights for all people in this City and County;

NOW, THEREFORE, BE IT RESOLVED, that the Human Rights Commission and its staff express their gratitude and their commendation to their colleague, Joseph A. Meza, for all his contributions, and

BE IT FURTHER RESOLVED, that the HRC extend to their old friend their affectionate best wishes as he pursues his ministry and the service to man which he has exemplified so outstandingly during his distinguished career as Commissioner and Deputy Director.

##################################

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, May 13, 1982
Commission Room, Main Library

****
* NEXT MEETING *
* *
*Date: Thursday, May 27, 1982 *
*Time: 10:15 AM *
Place: Third Floor, Commission Room *
* Main Library, Civic Center *
****

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners

Present: Phyllis Lyon (presiding), Thomas Ambrogi, Samuel Chung, Robert Edwards, Joe Jury, Corrine Lee, John C. Morrissey, Joan Zamora Moulton, Clemente Obregon, Richard Sevilla, Esta Soler, Rabbi Martin Weiner, David K. Yamakawa, Jr.

Excused: Antonio Grafilo, Brenda Wade.

Staff Grant S. Mickins, Jack Casford, Stanley Lim, Richard Norton, Pansy Ponzio, Vicky Rathbone, Gail Roberts, Lydia San Filippo, Essie Thomas, Ed Vurek, Jackie Winnow.

Pledge of Allegiance

Minutes of the Meeting of April 29,1982 approved.

COMMUNICATIONS

- From John L. Taylor, Acting Clerk of the Board of Supervisors, requesting, on behalf of the Board Civil Service and General Administration Committee, to advise them prior to their June 1 meeting "as to whether or not the Moscone Convention Center is in compliance with Affirmative Action policy, particularly as it pertains to hiring of minority employees within the Moscone facility, and the letting of contracts to minority businesses."

Director Mickins said the HRC will be responding. Stanley Lim and Richard Norton of the HRC staff had attended the May 4 meeting of the Board Committee, at which time this inquiry was put over to June 1.

- From Suzanne Melchoir, President, Coleman Children & Youth Services, Margaret Brodkin, Project Director, and Jean Jacobs, Coleman Board Member, for the San Francisco Youth Advocacy Project, thanking the HRC for its support for continuing funding from the Office of Juvenile Justice and Delinquency Prevention.

- From Kiram E. Smith, Executive Director, San Francisco Neighborhood Legal Assistance Foundation, a form letter advising of staff reductions and priorities fro legal services, and listing the efforts currently to comply with a new federal mandate to "implement programs that will result in the 'substantial involvement' of private attorneys in the delivery of legal services to eligible clients."

- From Marcel E. Conrad, Head Property Manger, Airports Commission, providing Director Mickins for review, a copy of the draft outline of the principal concession agreement for the Central Terminal.

This letter was read in full, and in his commentary following it, Director Mickins said that to date the HRC has been unable to institute and implement affirmative action programs requiring regarding MBE/WBE participation applicable to concession agreements, largely because the City Attorney has in the past found various constitutional objections in that regard. However, in February, after a complete review by the City Attorney at the request of the HRC, he found that the state of the law presently in this field (e.g. goals, timetables, "set asides", etc.) is in such a "state of flux" that the HRC may, as it has, construct a program in cooperation with the Airports Commission. Mr. Conrad's letter states that the AA provisions would require goals of 15%-MBE (Minority Business Enterprise), 5%-WBE, (Women Business Enterprise), and 5%-SBE (Small Business Enterprise).

The overall goal for the Airport is 25%, Mr. Mickins, said, with the obligation being placed on the prime consessionaire firm (at the Airport) to meet the above-cited participation figures.

- From U.S. Senator John Heinz of Pennsylvania, acknowledging the HRC's letter some weeks ago protesting the nomination of the Reverend B. Samuel Hart by President Reagan to the Civil Rights Commission, and noting that the Rev. Mr. Hart has withdrawn his name from consideration.

- Director Mickins said that two other letters he has received, one from Carmen Estrada, of the Mexican-American Legal Defense and Educational Fund, addressed to the Administrative Committee, and one from Diana L. Marin, a member of the Employment Committeee (each of whom testified at the HRC discussion at its April 29, 1982 meeting regarding the wording of the "Hispanic" definition for purposes of affirmative action), will be part of the HRC disucssion on this issue at its regular meeting scheduled for May 27, 1982 at 10:15 AM in the Third Floor Commission Room of the Main Library.

Commissioner Soler asked that Ms. Marin be notified of the date of the aformentioned meeting. She also asked that it be made clear to Ms. Marin, in response to her stated concerns, that Mary Gin Starkweather's report at the April 29 meeting was not through the Employment Committee, but that the Employment Committee had recommended that the present "Hispanic" difinition wording in use by the HRC be retained (as spearate from the Starkweather staff report on the issue).

Commissioner Moulton responded to Ms. Marin's written concerns: "These individuals who purport to be representatives of the entire Hispanic community testified only in behalf of Mexican-Americans," by saying that Carlota Texidor del Portillo is Puerto Rican by ancestry, Rosa Perez, is El Salvadoran, and Fernando Cosio is Bolivian. All three spoke at the HRC's April 29 meeting on this issue.

DIRECTOR'S REPORT

- California Association of Human Rights Organizations (CAHRO) Conference in Los Angeles May 5, 6, and 7.

Director Miokins, at his own travel expense, attended this annual conference. The theme topic was "Human Relations in Good Business," and Director Mickins said that he was deeply impressed by thehuman relations activities the CAHRO members are involved in , particularly those commissions that do not have the heavy contract compliance/affirmative action mandate of the HRC. He said that in Los Angeles and the surrounding area much work is being done with both the private and public sector in urging and implementing human relations educational and support activity, pointing out to businesses that "good" human relations are in the long run more cost-effective than "bad" human relations.

Mr. Mickins, who is a member of the Executive Board of CAHRO, also reported that the conference devoted much attention to the growing incidence of violence based on racial and religious bigotry, with accounts of harassment and other actions against particular minorities, such as Vietnamese newcomers.

The conference heard an interesting workshop presentation on bilingual education from Dr. Allan Seid, a member of the State Board of Education. He said also, in response to an inquiry from Commissioner Moulton, that there was even more Los Angeles community outrage and reaction to the recent "raid" program of the U.S. Immigration & Naturalization Service carried out in workplaces with the object the apprehension of undocumented workers.

Mr. Mickins noted that Attorney Willard Carr, president of the Greater Los Angeles Chamber of Commerce, gave a presentation on the very close linkage between the local human rights/relations commissions and the Chamber in the field of human relations. He noted that the Chamber has asked its members to make a commitment of 2% of gross, pre-tax profits to assisting nonprofit groups, in an effort to compensate partially for the cutbacks in governmental assistance.

He learned that affirmative action involvement included trade fairs participated in by 150 major corporations to meet with minority and women business enterprise people to learn of business opportunities.

He reported that it appears that, this long after the California property tax cut of 60 % brought about by passage of Proposition 13, there remain some five county HRCs and 30 to 40 in varying sizes, in cities.

*****Mr. Mickins is preparing a written report of the conference which he will submit to the Mayor, with copies to all Commissioners.

STANDING COMMITTEES

ADMINISTRATIVE
Clemente Obregón, Chairperson.

- "Hispanic" Definition Issue.

This was discussed, according to Chairperson Lyon, who chaired the Administrative Committee meeting May 11 in the absence of Commissioner Obregón, in some detail before it was agreed that it would be an agenda item for the HRC's regular meeting May 27. In the meantime, the City Attorney is being asked for advice on the legal aspects of changes or proposed changes.

- Bilingual Ballot Investigation Policy of U.S. Attorney Joseph P. Russoniello-Proposed HRC Letters of Protest. -Commissioner Sevilla.

At the request of Commissioner Sevilla, the Administrative Committee had asked staff to draft four letters regarding this issue to:United States Attorney Joseph P. Russioniello, District Attorney Arlo Smith, U.S. Representative Don Edwards, and State Assemblyman Art Agnos.

On April 19,1982, Mr. Russoniello wrote the District Attorneys in the counties of Alameda, Monterey, Napa, San Francisco, San Mateo, Santa Clara, Santa Cruz and Sonoma, regarding "Primary Election: June 8, 1982, Possible Inappropriate Voter Registration of Aliens ." He requested that county Registrars of Voters be asked to submit at random the names of persons newly-registered to vote whose affidavits of registration reflect foreign birth or a "preference for election materials in a language other than English," i.e., bilingual ballots.

There was an immediate strong objection from individuals and many civil rights organization statewide, widely reported by all media. Local San Francisco Hispanic and Chinese groups and the American Civil Liberties Union filed for a temporary restraining order against the investigations in U.S. District Court. Judge Spencer Williams on May 13 refused to issue this order.

The letters in draft form from the HRC asked that Mr.Russoniello rescind his investigaion action of April 19, that Mr. Smith immediately cease complying with it, that Representative Edwards schedule a Congressional committee hearing on the policy, and that Assemblyman Agnos support State Legislature hearings as well. (Commissioner Sevilla announced that Assemblyman Richard Allatorre, who is chairperson of the Assembly Elections and Reapportionment Committee,will hold public hearings Friday, May 21,from 9:30 AM to 1 PM in the Board of Supervisors Chambers, City Hall, in San Francisco.

Commissioner Sevilla reported on a meeting attended by some 40 civil rights civil rights and advocacy organizations on May 6 which resulted in a number of agreed-upon actions to support and assist the protest movement against the investigations.

The letters drafted for the HRC's consideration at this meeting were reflective of this action plan.

There followed an hour or more of discussion by the Commissioners on this issue and on the wording of the letters.

Commissioner Moulton said she saw the investigations as part of a larger civil rights issue, focusing on a racial discrimination aspect. She said that to her knowledge English-speaking noncitizens who are registered to vote are virtually never challenged.

Commissioner Yamakawa said that he was unclear as to the thrust of the objections voiced by Commissioners Moulton and Sevilla to the investigations action. He said that since federal law is that persons must be citizens who vote, the only way to enforce the law is to study those persons."If the District Attorney of San Francisco sends a random list, they're checked, and it looks as if there are violations of the citizenship requirement vote, and he is asked to investigate those people who don't look like they're citizens, and that selection is done from a random list, I don't see the problem with that."

Commissioner Morrissey commented that the matter was, however, one of selective enforcement (of the law that only citizen may vote).

Commissioner Sevilla announced that District Attorney Smith had stated at a recent meeting that he will not further participate in the investigations. He urged that the HRC support Mr. Smith in this policy.

Commissioner Lee suggested that the District Attorney (Arlo Smith) should be asked: 1. What actions he took following Mr. Russoniello's April 19 request for these investigations, and 2. What he intends to do from this point on. She also stressed that the HRC's position should be stated as well.

It was then,

***m/s/c that the HRC authorize the sending of letters to U.S. Attorney Russoniello, District Attorney Arlo Smith, and U.S. Representative Don Edwards, stating its positions on the bilingual ballot investigations and calling for certain specific actions aimed at stopping them immediately. Copies of these letters are attached to these Minutes. A letter also was authorized to be sent out to Assemblyman Art Agnos.

Commissioner Sevilla expressed his thanks to Grant Mickins and Jack Casford for researching and drafting these letters on short notice.

Commissioner Moulton also expressed thanks on behalf of herself and Commissioner Obregon for Director Mickins' and staff work on this issue.

EMPLOYMENT
Antonio Grafilo/Esta Soler, Co-Chairpersons

- Report on A/E (Architects and Engineers) Consulting Contracts: Minority and Woman-Owned Business Participation.

Business Participation.-Vicky Rathbone.

Ms. Rathbone gave the highlights of her narrative report, which had been given earlier to the Employment Committee, and which also included two statistical addenda: Table I, Analysis of Contract Awards, giving percentages and contract dollar amounts and names of MBE/WBE firms grouped under the six major project/departmental monitoring areas, and Table II, breakdowns by firm name, type of work, awarding agency, name of project, and fee for contracts and subcontracts awarded to Black, Hispanic, Asian, Filipino, Native-American, and woman-owned businesses on A/E consulting projects.

Ms. Rathbone said that the HRC's program was working smoothly, and that no particular problems have developed during the past year. She said the program has become "a fact of life" for a large number of consultants in the City, and that it is used as the basis for other programs in other jurisdictions.

Following is taken verbatim with some additions, from Ms. Rathbone's narrative report:

This report concerns San Francisco Architecture and Engineering (A/E) monitored by the HRC during the 1981. Each contract received a fee of $30,000 or more. It is the third such report since the HRC adopted the original MBE/WBE participation goals in January, 1979.

Following is a brief description of the major awards by each City department during 1981, and the outlook for 1982.

San Francisco Clean Water Program.

Most of the work in 1981 came from the San Francisco Clean Water Program. The Bayside Study and Crosstown Tunnel were in an initial planning stage while design of the South West Treatment Plant was being developed and completed. Unfortunately, money is not now available to complete the Bayside and Crosstown Tunnel project, which will be suspended until funding becomes available. Hopefully, construction will begin on the South West Plant. Although it is almost certain that less A/E consulting work will be needed during 1982 than in previous years, as the Clean Water program has passed its peak activity, the HRC will be monitoring about $12 million of contracts next year.

San Francisco Port Commission.

The San Francisco Port Commission has ambitious plans for the renovation of the waterfront which will require considerable A/E consulting work. The HRC has now developed a good working relationship with the Port Commission staff and looks foreward to implementing the MBE/WBE program during 1982. The Hyde Street Pier is being converted to fishing facilities and other waterfront projects are under way.

San Francisco Airport Commission.

The Central Terminal is now in construction. The Airports Commission hopes to begin the modernization of the South Terminal during 1982. This will be a major project.

Department of Public Works.

The DPW traditionally awards only smaller A/E consulting contracts Its major project last year was design of the Mission Gym and Recreation Center, which was given to an MBE, Martin Del Campo & Associates. Several more smaller projects can be expected during 1982.

Department of City Planning.

Only one contract was awarded during 1981.

Solid Waste Management Program.

The HRC so far has had some difficulty in implementing the MBE/WBE program with the Solid WasteManagment Project. This is partly due to the specialized nature of the work. For example, a firm was hired to help San Francisco acquire the correct permits to use the Altamount landfill. Another firm has been hired to help San Francisco negotiate its contract for the new garbage disposal system planned. A recycling plant is under consideration for Brisbane, which, if put into construction, will generate many contracts.

The next section of the report includes a statistical analysis of San Francisco A/E consulting awards during 1981. HRC staff monitored 33 contracts during the year, totaling $25,280,591. Consultant fees, Ms. Rathbone said, generally are 7 to 10% of the total construction project amount. The MBE/WBE breakdown was:

Total MBE:	$ 9,300,447	or 37%
Large MBE:	$ 5,011,494	or 20%
Small MBE:	$ 4,288,953	or 17%
WBE:	$ 685,408	or 3%

Analysis of the contract awards of different City agencies provides the following:

Clean Water Program (18 contracts)

Total:	$20,206,189	
Total MBE:	$ 7,272,813	or 36%
Total Small MBE:	$ 2,965,461	or 17%
Total WBE:	$ 459,034	or 2%

Department of Public Works. (4contracts)

Total:	$ 449,181.	
Total MBE:	$ 321,927	or 72%
Total Small MBE:	$ 301,927	or 67%
Total WBE:	$ 10,241	or 2%

Department of City Planning (1 contract)

Total:	$ 99,970	
Total MBE:	$ 24,240	or 24%
Total Small MBE:	$ 24,240	
Total WBE:	$ 3,410	or 3%

Port Commission (2 contracts)

Total:	$ 270,000	
Total MBE:	$ 83,800	or 31%
Total Small MBE:	$ 83,800	
Total WBE:	$ 9,000	or 3%

Airports Commission: (5 contracts)

Total:	$ 3,780,930	
Total MBE:	$ 1,548,100	or 41%
Total Small MBE:	$ 848,775	or 22%
Total WBE:	$ 166,000	or 4%

Solid Waste Management Program (3 contracts)

Total :	$ 474,321	
Total MBE:	$ 47,567	or 10%
Total Small MBE	$ 44,167	or 9%
Total WBE:	$ 22,877	or 5%

There is evidence that City projects continue to be broken down into smaller components to facilitate involvement of MBE/WBE's in all aspects of work. Following is an analysis of MBE/WBE awards by specialization:

	Total	MBE	WMBE
Civil Engineering	$9,894,518	$ 799,390 or 8%	$12,479 or N/S
Structural Engineering	$1,716,752	$1,638,948 or 98%	N/L
Mechnic/Elc. Engineering	$1,038,015	$ 767,015 or 74%	N/L
Geotech Engineering	$4,159,536	$4,057,505 or 98%	N/L
Lands. Arch.	$ 860,895	24,000 or 3%	$94,740 or 11%
Architecture	$3,621,875	$ 636,861 or 18%	$173,666 or 5%
Environmental	$ 465,763	$ 256,767 or 55%	$ 62,726 or13%

Ms. Rathbone said that both large and small firms appear to be benefiting from the MBE/WBE Program, but that the WBE s 3% participation continues to remain a problem area, largely because of the lack of availability of woman-owned firms to participate in many special fields, such as structural and geotechnical engineerng, where consultants had been needed during the last year.

The ethnic distribution of total contract awards was as follows:

	Number of Firms	Number of Awards	Amount of Awards
Black Firms	18	24	$1,848,239
Hispanic Firms	5	8	$3,670,631
Asian Firms	27	36	$3,499,324
Filipino Firms	1	1	$ 12,499
N/A Firms	N/L	N/L	N/L
WBE	29	37	$ 658,408

The HRC continues to monitor billings during the contract to make sure that MBE/WBE s actually perform the work they were awarded. Staff also spends an increasing percentage of its time investigating complaints and verifying MBE/WBE status. The complaints usually concern the way the MBE/WBE is treated as a member of a consultant team, the City's slow payment process, and reductions in MBE/WBE scope of work from that originally awarded.

The program appears to be serving its purpose of including MBE/WBE's in the City's A/E consulting projects. Although the ethnic distribution fluctuates with contract awards, it seems true that MBE/WBE's from all ethnic groups are continuing to actively seek and to be awarded work on a wide variety of City projects.

Commissioner Soler asked if any of the Hispanic firms (five in number) who were listed in the ethnic distribution chart were owned by European Spanish and Ms. Rathbone said not to her knowledge.

Commissioner Sevilla referred again to the problem of the low proportion of contracts being awarded woman-owned firms, and said that he wished that the report had made special mention of this fact and addressed how to assist WBEs. Ms. Rathbone said that while there are a number of support groups for individual women architects and engineers, there are not for woman-owned businesses in these professions, nor is there a central referral point from which to obtain names of woman-owned architectural and engineering consulting firms.

There are, however, she said, a number of woman-owned firms that are most active in attempting to obtain City consulting contracts, and are appearing more and more frequently in the selection process. She said the problem lies much more in the type of work the City has been awarding. For example, there have been many sanitary engineering firm owned by a woman.

Most of the woman-owned firms specialize in architecture or land aping or environmental impact reporting and analysis.

Commissioner Soler concurred in Commissioner Sevilla's concern, and said that she felt the report should reflect andacknowledge this (the low participation by WBEs) as a problem.

- Because of some confusion, members of the HRC will be sent the HRC's procedure on the distinction between adopting and accepting staff reports.

It was then

*****m/s/c that the HRC accept the Report on Architecture/Engineering Consulting Contracts; Minority and Woman-Owned Business Participation, with Commissioner Ambrogi asking that Vicky Rathbone be commended for her preparation and presentation of the material.

- At this point, Commissioner Moulton introduced a nonagenda subject, the HRC's definition of what constitutes a bona fide minority or woman-owned business enterprise on A/E consulting contracts. "..." a business at least 51% of which is owned and controlled by minority group members or women, where 51% ownership and control is required by State or Federal regulations; otherwise minority group members or women must own and control 50 % of the business," quoting from the HRC's Affirmative Action Program Architecture /Engineering(A/E) Consulting Contracts,revised April 15, 1982 and adopted by the HRC at its regular meeting on that date after a series of public hearings in the Employment Committee, noting at the time Commissioner Moulton's objection to the wording of the category "Hispanic." Commissioner Sevilla also asked at this point why this definition had been adopted.

Ms. Rathbone then reviewed past HRC, Employment Committee and HRC staff discussion on the definition of bona fide MBE/WBE. She said up to this point no one in any public hearings, or at the Committee or HRC level, had requested a change in the definition as it stands. She said if changes were proposed, that minority firms involved should be invited to speak their positions on the matter.

Louie Cosby, Jr., and Alfred Williamson, both of A. Williamson Advertising Agency, Inc. then addressed a number of questions to Ms. Rathbone about the bona fide definitons, saying that many minority firms are not receiving information on the availablity of contracts. It was suggested that Messers. Cosby and Williamson confer with Director Mickins on their concerns, since their questions were not related to the subject matter.

It was

*****m/s/c that the issue of the definition of bona fide minority or woman-owned business enterprise as contained in the HRC's A/E Consultant Contracts Affirmative Action Program be referred back to the Employment Committee.

- Status Report on Pier 39 Agreement- Ed Vurek, HRC Employment Representative.

Pier 39 is a tourist-oriented complex of shops and restaurants that occupies Embarcadero waterfront property in the City on its eastern Bay side.

Mr. Vurek has been working with the original developers of this enterprise for the several years since a 60-year lease on the site was acquired by Warren Simmons and his associates in 1976-77.

Mr. Vurek's report, which follows, is taken verbatim, with some minor additions or changes, from the written report he submitted first to the Employment Committee and then to the HRC. The original report was done in March of 1982, but issues before the Committee and the HRC has postponed its presentation until this date.

The affirmative action agreement between the Human Rights Commission and North Point Center, Inc., (Pier 39) was signed in June, 1980. The agreement followed a series of settlement meetings in 1979, involving HRC staff

and representatives of Pier 39. The purpose of these meetings was to resolve the issues caused by a finding in 1978 by the HRC Director that Pier 39 had violated Chapter 12B of the Administrative Code during the construction phase of the project.

Since the construction was long since completed, the 1980 agreement concerned itself with establishing affirmative action procedures in the operation of Pier 39, and creating some sort of remedy for the nondiscrimination (12B) violation.

The agreement concerned, primarily:

1) goals for overall minority workforce,
2) goals for minorities and women at supervisory levels,
3) MBE goals for future construction,
4) a monetary amount to be spend "to further the objectives of affirmative action" in the agreement,
5) MBE/WBE goals for suppliers to Pier 39.

Subsequent to the first two status reports to the HRC on the implementation of the agreement, a Chicago-based firm specializing in the operation of "theme parks," Moor and South , assumed ownership of Pier 39. Certain key managers from the previous ownership have been replaced. Initial discussions with the new management indicates a positive attitude toward desire to fulfill the current HRC Affirmative Action agreement, and a continuing commitment to achieve and maintain all of the goals. There are sufficient mid-level employees to assure continuity of operation.

Overall Employment

The Pier increased the overall minority workforce percentage from 53.1% to 56.1% during the period of June 30, 1981, to Oct 31,1981, despite an overall decrease in the workforce (320, down to 296). The decrease in employees is normal as the summer season ends.

An update on the representation of minorities and women at the supervisory level will be included in the next Pier 39 status report this summer.

The various work areas included in the employment report are:

1) Restaurants
2) Executive and Accounting
3) Marina
4) Galley (Supplies)
5) Blue and Gold Fleet
6) Security and Maintenance
7) Landscaping
8) Children's Area (Games and Rides)
9 Marketing
10) Construction

Construction

Further construction at the Pier is not contemplated at this time. However, there is a possibility that a new breakwater may be constructed when weather permits. In this case, the MBE goals (50%) in the agreement will be met.

Summer Training Program

The Summer Program in the 1981 reporting period employed 23 young persons hired thorugh Youth For Service. Pier 39 spent $13,130.64 in salaries to the trainees during the period, exceeding their monetary commitment in the agreement (10,000) .

Unfortunately, the Summer Program was not a total success. This may have happened because it was operated by a "lame duck" management. Specifically, the training positions did not cover the range of Pier departments, and were concentrated in the Game area.

The current management has been initially receptive to a continuation of the Summer Program through the next two years. Discussions have included a decrease in the number of trainees with an increase in the range of experience offered. An examination of the problems of the 1981 would precede the design for this year.

The major focus on the Pier 39 agreement for 1982-83 will be monitoring the MBE/WBE participation in the supply of goods and services to Pier tenants. The goals of 25% MBE and 10% WBE are to be reached by June 30,1983.

Pier 39 Statistical Report

	June 30, 1981			Oct. 31,1981		
	Total	Min	Women	Total	Min	Women
Galley	10	7	-	10	9	0
Exec & Acct.	12	1	6	11	3	6
Blue & Gold Fleet	40	8	12	37	8	12
Security	45	16	8	38	18	8
Landscape	6	1	5	5	1	5
Game Area	62	46	31	57	42	24
Marina	9	3	1	9	-	1
Marketing	3	-	2	3	-	2
Restaurants	133	88	42	126	85	35
TOTAL:	320	170 (53.1%)	107 (33.4%)	296	166 (56.1%)	93 (31.4%)

	June,1981	Oct., 1981
Black	12.5	14.5
Hispanic	27.6	27.0
Asian	6.9	6.7
Filipino	4.2	3.4
NAI (Native American Indian)	0.3	.3
ONW (Ohter Nonwhite)	1.6	4.1

It was then
****m/s/c to accept the Status Report on the Pier 39 (Affirmative Action) Agreement.

Commissioner Sevilla commented that he would like to have some comparative figures for affirmative action objectives, especially for minority youth being given training in a wide range of employment opportunities and categories.

Commissioner Moulton expressed personal concern with the racial category Other Nonwhite as shown in Mr. Vurek's workforce breakdown.

NO NEW MATTERS

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, May 27, 1982 at 10:15 AM in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, June 3, 1982 9:30 AM 1850 Mission Street
Gay Advisory	Tuesday, May 18, 1982 Noon Main Library, Third Floor Commission Room
Housing & Urban Development	Monday, May 24, 1982 4:00 PM HRC Offices, Room 509
Police Liaison / Social Issues	Tuesday, May 18, 1982 3:30 PM HRC Offices, Room 509
Youth and Education	Thursday, May 20, 1982 3:15 PM John Adams Community College Center 1860 Hayes Street, Room 136

No Remarks from the Audience

Adjournment

Respectfully submitted,

Attachments

Grant S. Mickins
via Jack Casford

GSM: JC lclp

Place: Third Floor Commission Room

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

May 19, 1982

Arlo Smith
District Attorney's Office
880 Bryant Street, Room 322
San Francisco, CA 94103

Dear Mr. Smith:

The Human Rights Commission at its regular meeting May 13, 1982, voted to request that you suspend indefinitely compliance with the April 19 request of United States Attorney Joseph P. Russoniello that you provide through the Registrar of Voters in this country, names of registered voters who have requested bilingual ballots.

Primary among the HRC's concerns are the intergroup tensions that these actions have fomented in this community, leading to fear and dissension among minority people, and to widespread outrage at this discriminatory, unjust, and racist policy.

It is our understanding that you publically have declared that you would cooperature no further with Mr. Russoniello's request, and we commend you for this.

We have written to Mr. Russoniello, urging that he immediately rescind his April 19 letter.

The HRC is mandated to identify and address issues that are causes of community unrest, intergroup tensions, and inequities based on ethnic minority status.

The HRC would appreciate an immediate response to its concerns on this important issue.

Sincerely,

Grant S. Mickins
Director

GSM:vee

cc: U.S. Attorney Russoniello
Congressman Don Edwards
Mayor Dianne Feinstein
Henry Der
Assemblyman Art Agnos
Director, MALDEF

Place: Third Floor Commission Room

Attachment #2

ity and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

May 19, 1982

Congressman Don Edwards,
Chairperson
Subcommittee on Civil and
Constitutional Rights
House of Representatives
House Office Building
Washington, D.C. 20510

Dear Congressman Edwards:

The Human Rights Commission of San Francisco voted at its regular meeting May 13, 1982, to request that you schedule local public hearings by the Subcommittee on Civil and Constitutional Rights on the recent action (April 19) by U.S. Attorney Joseph P. Russoniello asking Bay Area county District Attorney's to provide his office with names of registered voters who request bilingual ballots.

The HRC, mandated to identify and address the causes of intergroup tensions in this community, is acting under that mandate to protest this ill-advised action by the U.S. Attorney. We feel strongly that his policy is unjust, unfair, selectively discriminatory, and is causing widespread fear and dissension here.

We urge that you ask your Subcommittee to consider these hearings, as Congressman Phillip Burton already has stated he intends to request.

Please keep this office informed of your actions on this issue.

Sincerely,

Grant S. Mickins
Director

GSM:vee

Place: Third Floor Commission Room

Attachment #2

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

May 19, 1982

Congressman Don Edwards,
Chairperson
Subcommittee on Civil and
Constitutional Rights
House of Representatives
House Office Building
Washington, D.C. 20510

Dear Congressman Edwards:

The Human Rights Commission of San Francisco voted at its regular meeting May 13, 1982, to request that you schedule local public hearings by the Subcommittee on Civil and Constitutional Rights on the recent action (April 19) by U.S. Attorney Joseph P. Russoniello asking Bay Area county District Attorney's to provide his office with names of registered voters who request bilingual ballots.

The HRC, mandated to identify and address the causes of intergroup tensions in this community, is acting under that mandate to protest this ill-advised action by the U.S. Attorney. We feel strongly that his policy is unjust, unfair, selectively discriminatory, and is causing widespread fear and dissension here.

We urge that you ask your Subcommittee to consider these hearings, as Congressman Phillip Burton already has stated he intends to request.

Please keep this office informed of your actions on this issue.

Sincerely,

Grant S. Mickins
Director

GSM:vee

Place: Third Floor Commission Room

Attachment #3

ity and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

May 19, 1982

Joseph P. Russoniello
United States Attorney
Northern District of California
U.S. Department of Justice
16th Floor Federal Building Box 36055
450 Golden Gate Avenue
San Francisco, CA 94102

Dear Mr. Russoniello:

The Human Rights Commission at its regular meeting, May 13, 1982, voted to write to you expressing its deep concern over the action initiated by your office April 19, to require District Attorneys in the Bay Area, including the County of San Francisco, to submit to you at random the names of registered voters who request bilingual ballots.

There have already been widespread community expressions of outrage over this action, and the HRC wishes to be on record as deploring what we and many others see as an unfair, discriminatory, and racist law enforcement procedure, and one that has led and will lead to significant fear, tension, and dissension in all segments of the community, most particularly the ethnic minority community.

We urge that you rescind your April 19, action, and we do so in re-affirming our long-standing advocacy of bilingual ballots and voting information.

May we hear from you at your earliest convenience on this issue?

Sincerely,

Grant S. Mickins
Director

GSM:vee

cc: District Attorney Arlo Smith
U.S. Senator Alan Cranston

SF
H&C
#2
5/27/82

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, May 27,1982
Commission Room, Main Library

NEXT MEETING

****
*Date: Thursday, June 10,1982 *
*Time: 10:15 AM *
*Place: Third Floor Commission Room *
* Main Library, Civic Center *
****

DOCUMENTS DEPT.
JUN 8 1982
SAN FRANCISCO
PUBLIC LIBRARY

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners

Present: Phyllis Lyon (presiding), Samuel Chung, Robert Edwards, Joe Jung, Corrine Lee, Joan Zamora Moulton, Richard Sevilla, Brenda Wade, Rabbi Martin Weiner, David Yamakawa Jr.

Excused: Thomas Ambrogi, Antonio Grafilo, John C. Morrissey, Clemente Obregon Esta Soler.

The Staff

Present: Grant S. Mickins, Jack Casford, Juan Cruz, Ed Ilumin, Stanley Lim, Richard Norton, Pansy Ponzio, Vicky Rathbone, Gail Roberts, Lydia San Filippo, Essie Thomas, Julie Yim.

Pledge of Allegiance

Minutes of the Meeting of May 13, 1982 approved with one correction:

On Page 7, the third paragraph from the botton ofthe page, a line was omitted from the last sentence which as corrected should read: "For example, there have been many sanitary engineering contracts, but there is, to her knowledge, only one sanitary engineering firm owned by a women." Omitted section underlined .

COMMUNICATIONS

- From Ralph Hurtado, Mexican American Legal Defense and Educational Fund, via Pansy Ponzio of the HRC staff, a form copy of a memorandum to "Clearinghouse Groups to Stop the Bilingual Ballot Probe" issued May 13, 1982. Attachments included copies of newspaper articles on the reaction to the action of U.S. Attorney Jospeh P, Russoniello's request that District Attorneys in nine northern California counties provide him with names of persons who requested bilingual ballots when registering to vote. The HRC's letters protesting this action went out May 19 following its full discussion of the issue at its regular meeting May 13, 1982.

- From Willie L. Lewis, President, Minority Contractors Association of Northern California, informing that the MCANC Board of Directors has nominated the HRC to be the recipient of the "NAMC Champion Award" at a presentation to take place at the Claremont Resort Hotel, Thursday, July 1, at 2 PM. The award goes to "individuals and/or organizations deserving of recognition for efforts and participation relative to the advancement of minority business enterprise programs."

- From Alexander Stevens, Star #1741, Acting Commanding Officer, Legal Division, San Francisco Police Department, a copy of his letter to the Reverend

Henry Branner, Manging Venturor, Bayview Towing Association, who had written regarding the department's efforts to obtain compliance with a conditional use permit issued by the City. Copies also went to the City Planning Commission and the Bayview Hunters Point Coordinating Council.

Director Mickins read this letter in full. The Rev. Branner had alleged in his May 6 letter (a copy of which was sent to the HRC) to the Police Department that a Police Department inspector had dealt unfairly with the Bayview Towing Association. The issue of the award of a towing contract (for abandoned cars) by the City Purchaser's Office has been discussed by the HRC at several meetings this Spring as tangent to difficulties staff had encountered regarding the affirmative action response of the then City Purchaser, who has since resigned. Director Mickins noted that Bayview's charges of "bad faith and harassment" had been expressed before. The HRC had voted on Gebruary 25, 1982, after receiving a formal request from the attorney for Bayview Towing Association, to investigate the contract award dispute.

Mr. Mickins said, by copy of this letter, that the Office of the Chief of Police is keeping the HRC informed of its action on this issue and these charges. In addition, the HRC is preparing, as it has earlier announced, a Minority Business Enterprise/Women Business Enterprise program specifically applying to work with the City Purchaser's Office.

Initiated by Commissioner Weiner, it was

*****m/s/c that the HRC write Chief of Police Cornelius P. Murphy stating its continued concern over the complaints outlined in the Rev. Branner's letter on behalf of Bayview Towing Association.

- From Judith Teichman, Deputy City Attorney, a copy of an order from the Superior Court, returning exhibits from the Fisherman's Wharf case. In February, 1982, the U.S. Supreme Court refused to hear an appeal by Alioto's Fish Co. Ltd (and other Wharf restaurants) to a state Court of APpeal ruling that the HRC has affirmative action jurisdiction over employment in these Wharf restaurants.

- From Judith A. Boyajian, Deputy City Attorney, providing a copy of the Order and Judgment Denying Peremptory Writ of Mandate by the California Superior Court in the case of Castro Lath Plaster Drywall, Inc. against the HRC. The HRC had ruled that the Castro firm was not a bona fide Minority Business Enterprise as a subcontractor to Lathrop (which was ruled ineligible to bid for City contracts for two years by a Hearing Panel of the HRC March 11, 1982.) Judge Daniel H. Weinstein of the Superior Court ruled that the HRC finding in view of Topanga Assn vs. The County of Los Angeles (1974) 11 Cal. 3d.,-506 was "legally sufficient'. Director Mickins read the Order in full.

Commissioner Weiner commented that he felt the HRC should move to alert the community of the significance of this Superior Court action in terms of its being upheld in its legally-mandated commitment to assure that only qualified, bona fide minority and women-owned firms be approved for participation in City contracts under the MBE/WBE program it carries out.

*****With the consensus of the Commissioners present, it was agreed to issue a press release announcing this Court action and its pertinence to the HRC's MBE/WBE mandate and policy.

It was pointed out that a firm that may not be found a bona fide MBE/WBE on onecontract is not precluded from re-submitting in conformity to the standards required of all for such future consideration.

Director Mickins said he has asked Donald Hesse, an attorney who is the HRC's Housing Coordinator, to study the Topanga case and extract from it guidelines for future such decisions and actions.

According to the Director, Judge Weinstein spoke in high praise of Ms. Boyajian's brief on behalf of the HRC in this case.

It was then

****m/s/c that the HRC write a formal note of thanks for her work and expertise to Deputy City Attorney Boyajian, with a copy to City Attorney George Agnost.

- Commissioner Moulton suggested, and the Director and Chairperson concurred, that the Friends of the HRC be asked to draft a commendation format for use when the HRC wishes to single out individuals or organizations for its formal commendation.

- From James A. Chippero, President/Director, Veterans' Career Services, a copy of a form letter sent to community agencies, asking support for a proposal to the Governor for use of the old National Guard Armory at 1800 Mission Street (at 14th Street) by Veterans' Career Services and other civic and community service organizations, as well as recreational and cultural activities.

- Consideration of this request was referred to the Police Liaison/Social Issues Committee.

- Hunters Point Construction Contracts Indictment. Commissioner Weiner had asked Director Mickins to discuss what role if any the HRC has in connection with May 9,1982 newspaper articles on the subject of charges of abuse or misuse of government requirements designed to ensure that minority contractors, as well as residents of the Bayview-Hunters Point area, significantly share benefits of multi-million-dollar construction contracts there. The papers reported that one person has been convicted, and another was indicted by the Grand Jury in April on 26 charges that include extortion, fraud and tax evasion. The HRC as the City Monitoring Agency, and Stanley Lim, HRC Contract Compliance Officer, have been mentioned in one newspaper article.

Director Mickins said that the HRC, which has worked jointly with the Redevelopment Agency on Affirmative Action programs in such projects as the Moscone Center, has had no involvement in the construction project (the India Basin Postal Service facility) concerned with in the Hunters Point indictment and attendant charges.

He stressed that the HRC is scrupulous in its investigation of the MBE/WBE status of all bidding contractors, and said that more than 18 months ago, in the course of the District Attorney's investigation that resulted in the indictment, the HRC's Contract Compliance Coordinator, Stanley Lim, has been called by the Grand Jury as an expert witness to describe how MBE/WBE programs should operate, and how a properly-functioning compliance officer would carry out this work.

In response to a quoted comment on another contract, Mr. Mickins said also that Mr. Lim and he had found bona fide a joint venture MBE contract awarded at the South West OCean Outfall sewer project, and that their findings had been upheld at the State level.

- Resignation of Lydia San Filippo, HRC Contract Compliance Officer.

Ms. San Filippo has announced her resignation, effective May 27, 1982, and Director Mickins, noting that she had served at the HRC as an intern in 1975-76, then left to be a Program Specialist at the Commission on the Status of Women, and returned in 1978 as a Contract Compliance Officer, with assignment to contracts and leases at the San Francisco International Airport, expressed regret at her departure. He paid tribute to her commitment and dedication to the HRC's work, a sentiment echoed by Chairperson Lyon, and Commissioners Moulton and Sevilla, and it was

****m/s/c that a formal letter of gratitude and commendtion be sent on behalf of the HRC to Ms. San Filippo.

- HRC 1982-83 Budget.

The Mayor sends the City Budget ot the Board of Supervisors June 1, which can only cut, but not add to , the figures. Mr. Mickins said that the HRC has been asked to submit a supplemental budget along with the budget of the Commission on the Aging in anticipation of some intradepartmental cutbacks, which, he said, might adversely affect the HRC staffing.

- Cultural Enrichment Program at Juvenile Hall.

Presiding Judge Harry Low of Juvenile Court asked the HRC to set up this program to bring minority professionals from the community to speak to youths in custody. It was launched in January of 1982, and under the director of Essie Thomas of the HRC staff, presents speakers twice a month on Tuesdays from 3 to 4 PM in the Main Chapel of the Youth Guidance Center in San Francisco. The Mayor has said she will attend one of these programs sometime in June. Commissioner Edwards of the HRC has spoken, and others were encouraged to contact Ms. Thomas to do so.

- Mayor's Handgun Control Ordinance.

Proponents of this handgun contral ordinance proposed by the Mayor were to appear at a public hearing, one of two, by the Public Protection Committee of the Board of Supervisors at 2 PM in this date, May 27, in the Chambers of the Board of Supervisors in City Hall. Chairperson Lyon invited other members of the HRC to join her as she testifies to the HRC's formal endorsement of the proposed ordinance (March 25, 1982).

STANDING COMMITTEES

- Bilingual Ballot Probe by U.S. Attorney- Commissioner Jung.

Commissioner June asked that this issue be discussed at this point, though it was not on the agenda for this meeting.

*****On determination by the Chairperson that there was no objection to considering this nonagenda item at this time, it was m/s/c to move to the Police Liaison/Social Issues agenda item, Proposed Resolution Deploring Recent Actions Against Undocumented Workers and Registered Voters in order to open discussion to Commissioner Jung.

Before Commissioner Jung's presentation, Ms. Colleen Y. Wong, Deputy City Registrar of Voters, distributed on behalf of Commissioner Jung Xerox copies of newspaper articles from Asian Week, and East West pertinent to the bilingual ballot probe which the HRC protested formally in letters May 19 to U.S. Attorney Joseph P. Russoniello, District Attorney Arlo Smith, Congressman Don Edwards, and others

Commissioner Jung described his visits recently to U.S. Attorney Russoniello's office, to City Attorney George Agnost, to Registrar of VOters Jay Patterson, and to District Attorney Arlo Smith in connection with community indignation at the bilingual ballot probe. He said he also intends to call on David Ilchert, District Director, U.S. Immigration and Naturalization Service.

The Commissioner provided the HRC at this time a written response from District Attorney Smith to the HRC's May 19 letter of protest; a copy of his letter to the San Francisco Chronicle of May 14 denying that he had, as reported in that paper, "vowed not to prosecute ineligible votes " a copy of a May 6 memorandum from the Registrar of Voters to Mr. Smith, through Roger Boas, Chief Adminstrative Officer, reporting affidavits of registration of 35 foreign - born registrants " without regard to national origin or language preference"; and a copy of a draft resolution on the U.S. Attorney probe of bilingual voters from Henry Der, director of Chinese for Affirmative Action, with a cover note from Mr. Der saying the HRC could amend or change in any manner the two-page draft.

Mr. Mickins read this draft resolution in full.

- Commissioner Sevilla asked that the record show that he acknowledges that District Attorney Smith has stated that he did not publically state he "would not prosecute ineligible voters", which the Commissioner at the HRC meeting of May 13 (Page 4 of the Minutes) had announced. He commented however that "a purge on people who were born in another country is still discriminatory, and I think that that's still offensive..."

It was noted by Commissioners Moulton and Sevilla that the Police Liaison/ Social Issues Committee's proposed resolution, sent in advance to all members of the HRC, also cites the bilingual ballot probe issue in a more gneral overview stance on a number of actions causing concerns in minority communities, and they urged that the resolution be considered concurrently. They both spoke in favor of the HRC's adopting both resolutions separately, one being general in tone and the other specifically addressed to the bilingual ballot probe.

Ms. Wong stated that the Registrar said that in his opinion the probe was "discriminatory", because if the intent were to identify non-U.S. born citizens, the U.S. Attorney could pull the cards from his file. Rather than select only those registrants requesting bilingual ballots, the Registrar provided 25 names of persons born outside the United States, a group that includes persons born in the Philippines, Germany, Canada, Korea, France, Denmark and England.

Ms. Wong said that in the week following the bilingual ballot probe announcements, there was a 50% drop in voter registration volunteers obtained by the Registrar's Office in the Mission, and in Chinatown more than a 50% drop in the number of persons registering.

Commissioner Weiner asked that the record show that he still is as a matter of conscience opposed to the "bilingual ballot" in principle. He noted in favor of the (proposed) resolutions because of his strong concern about racial discrimination and selective enforcement in the U.S. Attorney's investigation.

He said he feels strongly about the possibility that noncitizens are voting, but that the problem is that minorities are being selcted for enforcement of laws covering voter eligibility.

Commissioner Moulton reiterated her standing concern that white, European -born persons registering to vote are not challenged in this way.

Ms. Wong assured Commissioner Weiner that the Registrar's Office is meticulous in its registration procedures and said she could state unequivocally that no person they have registered is a noncitizen. Permanent residents are not considered illegal aliens, she said, even though they are not legally full citizens. No one registered thorugh the San Francisco office, she re-stated, is a noncitizen.

Commissioner Sevilla said that these discussions pointed up the need for extensive voter education so the public at large can understand who can and who cannot register to vote.

It was then

*****m/s/c that the Human Rights Commission adopt the Resolution Deploring Official Actions Undocument Workers and Registered Voters and the draft resolution regarding the U. S. Attorney's probe of bilingual ballots as submitted by Chinese for Affirmative Action through Commissioner Joe Jung. Copies of these resolutionsare attached to these Minutes.

- Commissioner Moulton,with approval of Chairperson Lyon, invited Lydia San Filippo to become a member of the Police Liaison/Social Issues Committee.

STANDING COMMITTEES

Employment
Antonio Grafilo/Esta Soler- Co-Chairpersons

- Annual Airport Employment Profile Report- Julie Yim, HRC Affirmative Action Officer. (Introduced by Commissioner Lee in the absence of Commissioners Grafilo and Soler).

Ms. Yim used a standing chart to show the statistical breakdown for affirmative action in employment in six industry categories at San Francisco International Airport. She said that this was the second such status report.

Ms. Yim's report included a narrative section which is reproduced verbatim below, plus eight pages of charts and tables showing minority/majority comparisons by occupation and industries expressed in percentages; a male-female breakdown; a female comparison; a workforce breakdown by race and industry; ethnic workforce breakdowns for foreign (non-American) air carrier companies; and changes in the workforce of total industries and total occupational categories.

Following is an analysis of the workforces of the lessees at the San Francisco International Airport for calendar year 1981. Approximately 130 workforce breakdown questionnaires were distributed to all airport tenants in October, 1981. The last questionnaire was received in early March, 1982. However, the bulk of the questionnaires was received in December, 1981.

An important characteristic of airport leases is that a lease is awarded to the highest bidder, as opposed to the lowest bidder, as in most other HRC-monitored contracts. The tenants included in this report generate revenues to the Airport ranging from approximately $400 to $15 million annually. The amount of rent or fees paid to the airport is usually a percentage of the gross income or a guaranteed annual minimum amount.

This presentation has been organized into the following six industry categories:

Aircraft Service.

There are eight tenants in this category as opposed to twelve tenants reported last year. Aircraft service tenants are those companies whose major activity is aircraft maintenance. This does not include the workforce of United's Maintenance Base. They are included in the airlines category. With the loss of four companies in this area, the workforce was reduced by 52 percent or 391 people. This year there are 352 people working in this industrial category.

Airlines.

This category includes twenty seven airlines. Again, three small commuter lines have since left SFIA and one new airline is reporting this year. Western Airlines submitted a questionnaire this year. Comparing the airline workforce for 1980 and 1981, given adjustments to compensate for the difference in data collection for the two years, there was a reduction of 11 percent, or 2,337 employees.

Passenger Transportation and Parking.

Ground transportatation companies who pay more than $1,200 per year in permit fees are included in this category along with all privately-owned parking facilities. With nine companies reporting, this group has 689 employees, an increase of 2 percent, or twelve employees.

Auto Rental.

All car rental services that have a customer desk at the Airport are included in this category. Five companies submitted questionnaires in comparison with six last year. The workforce in this area was reduced by 23 percent, or 170 people. This year there are 565 employees in the auto rental classification.

Air Cargo and Freight.

Any company which handles the transporting of cargo and freight is classified in this group. Five companies reported in comparison with three companies reporting last year. There are 1,008 employees in this area, an increase of 102 percent over last year.

Concessionaires and Miscellaneous.

This category includes all other tenants not listed in the other five groups such as candy, news and gift shops, restaurants, florists, the animal shelter, hotels, and the shoe shine service. This year there are twenty-seven companies reporting, with 2,781 employees; an increase of 48 percent, or 905 employees.

FINDINGS

1. With 81 tenants reporting, there are 26,376 private sector employees at the Airport.

2. The total private sector workforce was reduced by 6 percent from the 1980 level.

3. The female sector of the workforce increased by 1 percent. Thus females represent 30 percent of the workforce.

4. The racial minority workforce increased by 1 percent and currently represents 27 percent of the total workforce.

5. In 1980 minorities were least represented in the professional category. In 1981 there was a 1 percent increase. However minorities are still under-represented in this category.

6. The most significant increase of minority employees was in the area of office and clerical workers, with an increase of 10 percent.

7. The laborer category employed the most minorities; 63 percent, compared to 62 percent last year.

8. Minorities are the majority of the workforce in the concessionnaire and miscellaneous category (56%), a 1 percent increase from 1980.

9. The air cargo and freight industry employed the lowest percentage of minorities (19%), a decrease of 13 percent from 1980.

10. Females represented 1 percent of the craft workers, unchanged from last year.

11. Females were highly represented in sales work (78%) and office and clerical work (73%), an increase of 5 percent and 13 percent respectively from 1980.

12. The most significant decrease of females was in the area of officials and managers with a drop of 5 percent.

13. Females make up the majority of employees in the auto rental category (65%) adn the concessionand miscellaneous category (58%), an increase of 5 percent and 13 percent, respectively, from 1980.

14. Females dropped 10 percent in the airline industry and 16 percent in the passenger transport and parking category.

Ms. Yim said reporting is quarterly by these lessees.

It was then
****m/s/c to accept the Annual Airport Employment Profile Report for 1981. and Ms. Yim was thanked for her contributions and for the quality of her report.

- Director Mickins noted that despite the current economic recession, minority participation in employment at the Airport has, through the HRC's efforts, been maintained with a minimal loss.

GAY ADVISORY
Richard Sevilla/David K. Yamakawa Jr. Co-Chairpersons

- Committee Report.- Commissioner Sevilla.

1. Pamphlet on Sexual Orientation/Discrimination Geared to Lesbians and Gay Men. This pamphlet is in the process of preparation. A second pamphlet is projected to reach contractors, social service agencies, etc.

2. Gay Freedom Day Parade. The GAC will have a booth to provide information at this June 27 event. The parade committee has met with the San Francisco Police Department to prepare for crowd control and avoid incidents which caused concern at the event last year.

3. Proposed California Equal Rights Constitutional Amendment. This would be offered in case the national Equal Rights Amendment fails to be ratified by 38 states.

4. Glad Tidings Tabernacle Church. This church has purchased property owned by the Redevelopment Agency. An organization called SOS (Save Our Souls) is said to meet at the Tabernacle, but is independent of the church. SOS is alleged to espouse anti-homosexual sentiments. A letter is being written to the pastor of Glad Tidings confirming his commitment to continue communication with the Community United Against Violence and others concerned on this issue.

5. Stephanie Riethmiller "Deprogramming" Case. It has been reported in the national press that a 20-year-old Alabama woman, Stephanie Riethmiller, was kidnapped and allegedly "deprogrammed", at the request of her parents, to attempt to end her homosexuality. The GAC is looking further into the disposition of this case.

6. San Francisco Examiner Article Regarding Terry Ray Cook. The GAC is concerned about this May 17,1982 article which the GAC believes implies that homosexuality was a factor in Mr. Cook's case, which involves rape and his reportedly hiring someone to murder the rape victim.

7. Torsten Weld Bodecker, a San Francisco State intern working with the GAC, is ending his internship and commendatory letter was read in full from the GAC thanking Him for his work.

YOUTH AND EDUCATION COMMITTEE
Brenda Wade/Rabbi Martin Weiner, Co-Chairperson

- Committee Report.

Health and Family Life Education Program: Instructional Support Services, San Francisco Unified School District, was the subject of a presentation by Mr. Gene Huber, Consultant to Family Life Education, accompanied by Ms. Kay Nomura and Ms. Lynette Porteous, aides for Dr. Stanley Scheinker, Associate Superintendent, Staff Development, Curriculum, and Program Evaluation SFUSD.

Commissioners Weiner and Wade were joined by Commissioner Morrissey and Chairperson Lyon at this meeting.

Ms. Thomas, staff to the Committee, said that more material in writing covering the working of this program in the public schools will be sent to the Committee. Commissioner Weiner said it was his perception that were some questions as to the overall quality of the program in the District, and that it was not a "priority item" in the general curriculum. He said it may have fallen victim in terms of staffing to budget cutbacks, but noted that there are nine-week courses in all the public high schools for sophomores as a requiremtn. The course covers sexuality as part of a general coverage of nutrition, alcohol, and tobacco use, and teachers have options in designing course presentations.

Commissioner Wade echoed some of her colleague's reservations about a lack of coordination and specificity,saying there are variations in what any given course might offer.

- Gail Roberts of the HRC staff announced that a member of the Committee is preparing a draft resolution summing up the status of the Family Life Program in terms of past HRC positions taken on it.

Commissioner Yamakawa commented that the HRC need address what the status of the Family Life Program is in terms of how it has or has not met the concerns voiced in a formal Resolution Urging Board of Education Action Regarding the Gay Community, adopted May 13, 1976.

Commissioner Sevilla commented that he, in conversations with educators, has found inconsistency in the program, and he, too, wished there to be a report on what the response has been to specific recommendations the HRC made.

NEW MATTERS

- Mission Education Center. Commissioner Moulton vocied her long-standing concern about a saftey hazard for children playing at this Center at 20th and Harrison Streets. A fence around the playground is too low, balls fly out,and children pursue them into the street. Commissioner Moulton said she had testified on this safety hazard before the Board of Education nine months ago, and had mentioned it at a meeting with the Mayor, but that the hazard remains.

- The matter was referred for followup to the Youth and Education Committee. Commissioner Jung asked for a copy of the written report on the hazard that Commissioner Moulton was asked to provide the Committee.

CALENDAR MATTERS

- The next regular meeting of the HRC will be at 10:15 AM in the Third Floor Commission Room of the Main Library on Thursday, June 10, 1982.

STANDING COMMITTEES

Employment	Thursday, June 3, 1982 9:20 AM 1850 Mission Street
Gay Advisory	Tuesday, JUne 15, 1982 Noon, Main Library Third Floor, Commission Room
Housing & Urban Development	To be announced
Police Liaison & Social Issues	Tuesday, June 15, 1982 3:30 PM Room 509, HRC Offices
Youth and Education	Thursday, June 17, 1982 3:15 PM John Adams Community College Center 1860 Hayes Street, Room 136

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins, via Jack Casford

City and County of San Francisco

Attachment #1
Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

RESOLUTION

DEPLORING OFFICIAL ACTIONS AGAINST UNDOCUMENTED WORKERS AND REGISTERED VOTERS

WHEREAS, the U.S. Immigration & Naturalization Service recently conducted a series of apprehension and deportation "raids", called "Project Jobs", on undocumented workers at their places of eemployment in the San Francisco Bay Area ; and

WHEREAS, this practice is focused primarily on the selective enforcement of immigration policy which falls on persons of Hispanic and Asian descent and others, thereby opening the door to what is seen as racist repression of those who immigrate into the United State; and

WHEREAS, the raids, and the fear, resentment, and dissension they have spread through minority, particularly Hispanic and Asian, communities in the Bay Area, are highly disruptive to community peace and security; and

WHEREAS, these actions, coupled with the U.S. Attorney's investigation of the citizenship status of people who request bilingual ballots in selected northern California counties, are seen in many quarters as parts of an overall Administration effort to attribute, in the public's eye, present-day unemployment and economic hardship to undocumented workers and/or aliens living in this country; and

WHEREAS, U.S. Senate Bill 2222 (the Simpson- Mazzoli Bill), a companion to House of Representatives bill H.R. 5872, is being rushed through The Congress containing many provisions viewed as highly undesirable by civil and human rights communities across the country; and

WHEREAS, the Human Rights Commission, through its Police Liaison/Social Issues Committee, has, since early 1976, consistently taken positions urging Immigration & Naturalization to re-order its priorities from apprehension and deportation of undocumented workers to the services needed by students, aliens, visitors, and naturalization petitioners, especially in the interest of reducing community racial and ethnic minority tensions; and

WHEREAS, the Human Rights Commission traditionally has formally supported legislative efforts to improve the status of noncitizens in our society, such as urging that two Presidents rescind Executive Order 11935 which presently bars permanent resident aliens from federal employment;

NOW, THEREFORE, BE IT RESOLVED, that the HRC formally urge that action on the Immigration Reform and Control Act of 1982, be postponed (it has passed the U.S. Senate and is before the House of Representatives); and

BE IT FINALLY RESOLVED, that the HRC formally and officially deplore the above-cited activities by federal agencies perceived by many as part of an overall national Administration effort to deflect criticism of its policies in unemployment and economic hardship by building public antagonism against persons with minority or immigrant backgrounds and status.

##########################

Resolution 3-82

Adopted by HRC 5/27/82

GSM:JC:bclp
6-3-82

Attachment #2

City and County of San Francisco

HUMAN RIGHTS COMMISSION
Office of Contract Compliance
Office of Dispute Resolution

RESOLUTION

URGING FULL PARTICIPATION BY, AND OFFICIAL PROTECTION

OF MINORITY LANGUAGE VOTERS

WHEREAS, the 1975 bilingual election amendments to the Voting Rights Act of 1965 were enacted to promote the enfranchisement of language minority citizens who have traditionally been excluded from English-only elections; and

WHEREAS, under the Voting Rights Act, the City and County of San Francisco is required to conduct all of its elections in Chinese and Spanish as well as in English; and

WHEREAS, U.S. Attorney Joseph P. Russoniello has registered District Attorneys in nine Bay Area counties, required under the Voting Rights Act to conduct bilingual elections, to select at random names of 25 foreign-born registered voters who have requested bilingual ballots for investigation of citizenship eligibility; and

WHEREAS, the U.S. Attorney's probe of bilingual voters lists for non-citizens has created a chilling effect on voter registration and participation by language minority citizens as reported to the Human Rights Commission, and

WHEREAS, in spite of requests by the Human Rights Commission, Mayor Dianne Feinstein, numerous other public officials, and concerned civil rights groups for the immediate cessation of this probe, U.S. Attorney Russoniello has said he would continue the probe; and

WHEREAS, if names of foreign-born registered voters who have requested bilingual ballots do not appear on the Immigration and Naturalization Service naturalization lists, there is the possibility that local district attorneys' offices may conduct personal interviews for verification of citizenship; and

WHEREAS, voter education groups and the City Registrar of Voters' office have reported that there has been a marked decrease in voter registration by language minority groups immediately after the disclosure of the U.S. Attorney's probe,

NOW, THEREFORE, BE IT RESOLVED, that the Human Rights Commission urge the San Francisco Registrar of Voters to counteract the negative impact of the U.S. Attorney's probe by launching an aggressive voter registration drive in the City's language minority communities, and

BE IT FURTHER RESOLVED, that the Human Rights Commission urge the Registrar of Voters to comply with all provisions of the 1975 amendments to the Voting Rights Act and of the Consent Decree in U.S. v. City and County of San Francisco in

order that language minicrity voters be treated as equal participants in the electoral process; and

BE IT FURTHER RESOLVED, that the Human Rights Commission call on all concerned community groups to assist the Registrar of Voters in promoting the enfranchisment of language minority voters; and

BE IT FURTHER RESOLVED, that the San Francisco Human Rights Commission appeal to all registered voters with either Chinese or Spanish language capabilities to volunteer as bilingual poll officals on election day to assist nonEnglish-speaking citizens to exercise their rights to vote; and

BE IT FINALLY RESOLVED, that the Human Rights Commission commend the efforts of the San Francisco District Attorney to not engage in those aspects of the U.S. Attorney's probe that would have a discriminatory impact on language minority voter registration and participation in the electoral process.

Resolution 4-82

Adopted by the HRC 5-27-82

bclp

SF
HRC
#2
6/10/82

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, June 10,1982
Commission Room, Main Library

DOCUMENTS DEPT.
JUN 21 1982
SAN FRANCISCO
PUBLIC LIBRARY

NEXT MEETING
Date: Thursday June 24, 1982
Time: 10:15 AM
Place: Third Floor, Commission Room
Main Library,Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners

Present: Phyllis Lyon (presiding), Joe Jung, Corrine Lee, John C. Morrissey, Joan Zamora Moulton, Clemente Obregón, Richard Sevilla, Esta Soler, David K. Yamakawa Jr.

Excused: Thomas Ambrogi, Samuel Chung, Robert D. Edwards, Antonio Grafilo, Brenda Wade, Rabbi Martin S. Weiner.

Staff

Present: Grant S. Mickins, Jack Casford, Juan Cruz, Don Hesse, Ed Ilumin, Vicky Rathbone, Gail Roberts, Essie Thomas, Jackie Winnow.

Pledge of Allegiance

Minutes of the Meeting of May 27, 1982 approved.

Ms. Fay Marles, Commissioner for Equal Opportunity, State of Victoria, Melbourne, Australia, a guest of the HRC at this meeting, was introduced. Ms. Marles expressed her pleasure at being able to watch the work of the HRC. She also was a guest in the office, where staff discussed the background and function of the HRC. Ms. Marles administers a program set up in April of 1978 to deal with nondiscrimination in the areas of sex and marital status in housing, employment and education. There is emphasis in conciliation and mediation in their caseload.

COMMUNICATIONS

- From Henry Der, Executive Director, Chinese for Affirmative Action, enclosing a copy of a letter to Mr. Der from Police Chief Cornelius P. Murphy regarding a comment attributed in a newspaper article to a Police inspector about a shooting incident at the Calvary Methodist Church April 10,1982. Mr. Der had sent the HRC a copy of an earlier letter to Mayor Feinstein(read at the HRC's meeting of April 29) on this same subject. At that time it was announced that the Intergroup Clearinghouse was considering the matter.

Director Mickins read the May 3 letter from the Chief in full. It said that the quotation is"actually taken out context." He said that the HRC had indicated to the Chief that it is concerned also about comments on the nature of crimes made by police officers gratuitously before investigation is completed. The officer had quoted as saying, after the shooting where seven youths were wounded, "Racial slurs were made, we really don't think this was a racial thing. It seems more like bad timing."

- From John L. Taylor, Acting Clerk of the Board of Supervisors, announcement of the Board committee hearings schedule on 1982-83 departmental budgets.

of the Board committee hearings schedule on 1982-83 departmental budgets.

The HRC budget will be reviewed by the joint Health and Community Services/ Finance Committee Thursday, June 24 at 1 PM, in Room 228, City Hall.

-1 From Paul D. Hardman, Publisher The Voice, confirming his telephone conversation with Director Mickins regarding "the decision of the San Francisco Redevelopment Agency to allow The Glad Tidings Temple to acquire real property (for parking lot) in the Western Addition currently owned by the Agency, despite the fact the numerous witnesses testified at the public hearing that a religious group (Save Our Souls, or SOS) which uses space in the Glad Tidings building discriminates on the basis of sexual orientation. This letter was read in full.

Director Mickins said that the Gay Advisory Committee had reported community concerns on this issue at the HRC meeting May 27, and had communicated with the pastor of Glad Tidings about it. A letter also went to the Redevelopment Agency on behalf of the HRC on June 10, informing that the HRC had received a protest from Mr. Hardman. He reported that despite public opposition, the Agency had granted the real property acquisition request by Glad Tidings. Mr. Mickins said it has been the position of the City Attorney that the Redevelopment Agency is a quasi-state agency, and is not covered under the local City ordinances, including the HRC's enabling ordinances under the City Administrative Code. Mr. Mickins also said the HRC will wait for an opinion from the City Attorney before it took any more action in response to Mr. Hardman's protest letter, which did not formally entail filing a complaint.

- From Bill Martinez, Dean, New College of California School of Law, regarding the still-unresolved issue of the HRC definition of the term "Hispanic" for affirmative action purposes. Mr. Martinez wrote, "The Third World Caucus and La Raza Legal Alliance join with the rest of our community in urging that you delete the phrase 'other Spanish culture or origin' so that in the true spirit of affirmative action, those actually denied entitlements be protected.

- From David A. Garcia A., Executive and Legal Affairs Secretary, California Fair Employment and Housing Commission, (letters sent to each Commissioners), stating that "... it is my opinion that the Fair Employment and Housing Act does not preempt the Human Rights Commission's authority to revise its definition of 'Hispanic'." He continued, "Speaking as an individual who has been involved in employment discriminatin matters since 1970, the revisions of the HRC's definition of 'Hispanic' so as to exclude persons of European ancestry seems to me to be an appropriate revision."

Director Mickins said the HRC still is waiting for the City Attorney's Office to complete its research on whether the HRC can amend or alter its present "Hispanic" definition. He said a state official, Steve Onyang, of the Department of Fair Employment & Housing, informed him that the state intends to write a uniform definition of "Hispanic" in the near future. He said that all pertinent correspondence and materials on this issue are being forwarded to the City Attorny's Office.

- From Mayor Dianne Feinstein, a Memorandum to all City boards and commissions of May 27 detailing submitting reports, agendas, and minutes to the City Librarian, Government Documents Department.

- From Henry E. Berman, President, Fire Commission, to Frank Anderson, HRC Coordinator, Office of Revenue Sharing implementation, thanking him for work on an oral panel interviewing candidates fo the position of Associate Affirmative Action Coordinator for the Fire Department.

- From the Board of Supervisors a copy of its formal Resolution No. 322-82 concurring in the recommendation of the Human services Committee that the HRC be continued, following its review under Section 2.90 of the Administrative Code. ("Sunset" legislation).

- From Bill Martinez, Dean, New College of California School of Law, regarding the still-unresolved issue of the HRC definition of the term "Hispanic" for affirmative action purposes. Mr. Martinez wrote, "The Third World Caucus and La Raza Legal Alliance join with the rest of our community in urging that you delete the phrase "other Spanish culture or origin" so that in the true spirit of affirmative action, those actually denied entitlements be protected."

DIRECTOR's REPORT

- HRC Budget. The joint Health and Community Services/Finance Committee of the Board of Supervisors will consider the HRC's budget request for fiscal 1982-83 at 1 PM, Thursday, June 24, in Room 228, City Hall. The Department of Social Services, Commission on the Aging, Commission on the Status of Women, Juvenile Court and Department of Public Health budgets will also be considered at this hearing. Commissioners were invited to join Chairperson Lyon and Director Mickins at this hearing.

- Mr. Mickins noted that the Commission on the Aging adminstrative budget had been reduced, including the $26,500 allocated to the HRC for a Representative position and support for affirmative action monitoring services on COA contracts. The Mayor has agreed to this reduction, and pursuant to our request has approved an HRC supplemental budget request in this amount to continue the Affirmative Action monitoring performed by this position. Approval from the Board of Supervisors is now required for this supplemental request.

REPORT BY THE CHAIRPERSON- Phyllis Lyon

- Mayor's Handgun Control Ordinance.

Chairperson Lyon represented the HRC's supportive position of this proposed City ordinance at a public hearing before the Public Protection Committee of the Board of Supervisors May 27. It was announced that Supervisor Doris Ward has changed her position and now opposes the handgun control ordinance.

STANDING COMMITTEES
HOUSING AND URBAN DEVELOPMENT
Clemente Obregon/Samuel Chung, Co-Chairpersons

- California Supreme Court Decision Prohibiting Discrimination Against Families with Children (Marina Point, Ltd. vs. Stephen Wolfson,). Edward Ilumin, Housing Specialist.

On February 8, 1982 , the California Supreme Court ruled in Marina Point Ltd., vs. Stephen Wolfson, a suit brought to it by Mr. and Mrs. Stephen Wolfson who had been evicted because they had a child after living in the Marina Point apartment complex in Los Angeles for three years. The Wolfson's suit went through the courts, Municipal, Superior, State Court of Appeal, and finally the California Supreme Court. The February 8 ruling was that Section 51 of the Unruh Civil Rights Act of 1964 (which makes it illegal for a landlord to refuse to rent to or to otherwise discriminate against families with children) was violated in Marina Point, Ltd., vs. Stephen Wolfson in this instance because it was arbitrary discrimination against children.

Mr. Ilumin noted that the HRC had been one of the pivotal groups, through the active work of then Commissioner Mezey and Housing Representative Edith Witt, in a coalition that obtained passage in 1975 of the San Francisco Fair Housing for Children Ordinance under the San Francisco Municipal Code. This ordinance is enforced by the District Attorney.

Mr. Ilumin said that the state Department of Fair Employment and Housing is the designated enforcement agency of the Unruh Civil Rights Act, but that the department had said it does not have the administrative capacity to handle an anticipated large number of complaints (from families alleging housing discrimination), but that it would consider what it called "clear-cut cases," as its Commissioners would decide.

As far as jurisdictional protection from this form of discrimination, Mr.

Ilumin said the District Attorney has stated that the Unruh Civil Rights Act protections would apply in instances of complaints involving more than three residential units. The San Francisco ordinance applies to all housing.

Only what is known as "special purpose housing", such as housing designated for senior citizens alone and mobile homes, is exempted from the provisions of these protections on the state and City level, according to Mr. Ilumin.

Responding to questions from Commissioner Morrissey on the prevalence, as the HRC has noted, of discrimination against families with children, Mr. Ilumin reported that the HRC will, on receipt of such complaint, first attempt to contact the landlord charged, advise him/her of the City ordinance, and attempt to convince him/her to comply. Many tenants or tenant/applicants, he said, are unwilling to go through the long process of bringing formal charges. It is also noted, he said, that some landlords attempt to set occupancy limits, e.g., saying that a unit of so many rooms is limited to so many persons. The Supreme Court, he said, has held that landlords may limit the number of indiviudals in a unit "only if it can be clearly demonstrated that such litigation is not a pretext for discrimination against families with children," (quote from a Department of Fair Employment & Housing fact sheet on Marina Point, Ltd., vs. Stephen Wolfson.)

Mr. Ilumin said that the upcoming booklet the HRC Fair Housing Program staff is preparing (for release in late summer) will include information for the public on the protections available to them, including the nondiscrimination against families with children provisions.

- San Francisco Superior Court Decision (Judge John Dearman) Regarding Hastings Law School's Obligation to Persons Displaced During Building Expansion- Donald Hesse, HRC Housing Coordinator.

In May of this year, Judge Dearman announced that he intends to rule that Hasting Law School must provide 375 units of housing to persons who were displaced by expansion of the school's facilities in the Civic Center area beginning in 1972. A suit had been filed on the tenants behalf in 1979.

Mr. Hesse reviewed the history of this issue, dating to 1972 when Hastings Law School began acquiring property along Golden Gate Avenue, McAllister, Larkin, and Hyde Streets. These purchases, however, were not publically announced until January of 1977. The property acquired, on which Hastings intended to construct a number of buildings and an underground parking garage, included several residential hotels, which provided low-income housing (at that time in the $65 to $100 a month range) for several hundred people, many of them elderly, and virtually all of them of limited means. Hastings originally planned to demolish all this property for its building program.

A community coalition was informed to resist this displacement and demolition, and Mr. Hesse had reported to the HRC in 1977 on the status of its efforts. On April 14, 1977, the HRC adopted a Resolution Regarding Hastings Law School's Building Expansion Plan calling on the school to make every effort to avoid demolition (of housing units,)and, if any housing units must be demolished, urging that the school provide comparable replacement housing on a unit-for-unit basis. Later in 1977, Hasting did agree to modify its demolition/construction plans somewhat, and it refurbished the Madonna Hotel on McAllister Street, moved in all the remaining tenants from Golden Gate Avenue units, and granted them lifetime rent supplements. Hastings had an obligation under state relocation laws, Mr. Hesse said, to the tenants it would displace beginning with the time it began(in this case, 1972) negotiations to buy property. The state also required that if Hastings could not find affordable, suitable replacement housing for the displaced tenants, it would have to provide "last resort" housing, i.e., new units, which it would have to build or purchase.

In 1979, the San Francisco Neighborhood Legal Assistance Foundation brought the suit for a group that included Glide Memorial Church, the Young Men's Christian Association, Legal Aid for the Elderly, Canon Kip Community House, the American Jewish Congress, and the Community Design Center and on behalf of 800 former tenants in the disputed area.

Since 1972, according to former tenants, Hastings had leased the low-income residential hotels to private operators who, knowing that the leases were short-term, felt no compunction to make capital improvements or maintenance outlays.

The issues of the lawsuit, said Mr. Hesse, were:

1. Had Hastings in fact displaced the 800 persons?
2. If so, was there any alternative, suitable housing in the area or San Francisco?
3. If not, did Hastings have to supply "last resort" (new units) housing?

The trial was held in January , 1982, and Judge Dearman in May announced that his intended decision was to be that Hastings would be required to provide 375 units to replace those it had acquired. The State Attorney General's Office has announced it will appeal.

There is no indication, however, Mr. Hesse said, that Hastings need build new units . It still owns a number of residential hotels on McAllister Street, which, if refurbished, might provide the required number of replacement units.

EMPLOYMENT
Antonio Grafilo/Esta Soler, Co-Chairpersons

- Status Report-Contracts Awarded by San Francisco Community College District-Essie Thomas, HRC Employment Representative.

The HRC has been monitoring contracts awarded by the San Francisco Community College District for the past three years, Ms. Thomas stated, and her report covered the year1981 thorugh March 31, 1982. Her written report, to which she referred during her presentation, included workforce breakdowns for the four contracts in effect during the reporting period, showing minority proportions of 56.3% (of the total workforce,) 66.6%, 9.1% and 7.13% , respectively.

- Status Report- Contracts Monitored for Six Certified Public Accounting Firms by the HRC-Essie Thomas.

The HRC, Ms. Thomas, reported, has been monitoring one firm (Peat, Marwick, Mitchell and Company) for six years, and the remaining six for two. The report covers employment workforce breakdowns for the year of 1981, through March 31, 198

The seven companies, with a total of 839 employees, had minority participatic of 16.7% of the total, women participation of 44.2% . Further breakdowns showed: minority males: 7.8%; minority females, 8.8%. The contracts ranged between $19, 500 and $250,000.

Ms. Thomas responded to a number of Commissioner questions following her report.

It was then

*****m/s/c that the HRC accept these two status reports.

- Requested Approval of Letter to Alice Lytle, Director, State and Consumer Services Agency, Urging Continuance of the Sexual Orientation Project-Commissioner Sevilla.

A copy of this proposed letter was provided each Commissioner, and after consideration of its request that the State and Consumer Service Agency continue a training program, "Discrimination Based on Sexual Orientation,", intended to educate state personnel regarding Executive Order B-54-79, the order banning discrimination in state employment based on sexual orientation," it was

******m/s/c that this letter be sent over the signature of Chairperson Phyllis Lyon.

- Commissioner Moulton asked that the HRC's Police Liaison/Social Issues Committeee again consider proposed legislation to create an Office of Citizens Complaints. The Board of Supervisors has voted to place a charter amendment on the November ballot that would set up this civilian review board to investigate charges of misconduct by police. In 1976, the HRC endorsed a San Francisco Bar Association proposal to this effect, and this endorsement was reaffirmed on June 25,1981.

- Mission Education Center.

Commissioner Moulton reported that she has been unable to provide the Youth and Education Committee and Commissioner Jung with the written materials about a safety hazard for children playingat this Center at 20th and Harrison Streets. She had initiated the referral at the HRC May 27. She asked that the Committee be given her remarks as carried in the HRC minutes for May 27.

*****Commissioner Lee volunteered to make a direct inquiry to the San Francisco Unified School District to see what action can be taken to meet Commissioner Moulton's concerns.

NO NEW MATTERS

CALENDAR MATTERS

- The next regular meeting of the HRC will be at 10:15 AM in the Third Floor Commission Room, of the Main Library on Thursday, June 24, 1982. NOTE: The HRC meeting previously announced for July 15 (the only July meeting), has been changed to July 8.

STANDING COMMITTEES

Employment	Thursday, June 1, 1982 9:30 AM 1850 Mission Street
Gay Advisory	Tuesday,June 15, 1982 Noon, Main Library Third Floor, Commission Room
Housing & Urban Devel	Monday, June 28, 1982 3:30 PM Room 509, HRC Office
Police Liaison/ Social Issues	Tuesday, June 15, 1982 3:30 PM Room 509, HRC Office
Youth and Education	Thursday, June 17, 1982 3:15 PM John Adams Community College Center, 1860 Hayes Street, Room 136

NO REMARKS FROM THE AUDIENCE

Adjournment

Respectfully submitted,

Grant S. Mickins via Jack Casford

DOCUMENTS DEPT.

JUL - 6 1982

SAN FRANCISCO PUBLIC LIBRARY

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, June 24, 1982
Commission Room, Main Library

NEXT MEETING

*Date:	Thursday, July 8, 1982 not 7/15, as earlier announced
*Time:	10:15 AM
*Place:	Commission Room, Third Floor Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners

Present: Phyllis Lyon (presiding) Thomas Ambrogi, Samuel Chung, Robert Edwards, Antonio Grafilo, Joe Jung, Richard Sevilla, Esta Soler, Brenda Wade, Rabbi Martin S. Weiner, David K. Yamakawa Jr.

Excused: Corrine Lee, John C. Morrissey, Joan Zamora Moulton, Clemente Obregon.

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Linell Harden, Richard Norton, Pansy Ponzio, Gail Roberts, Essie Thomas, Jackie Winnow.

Pledge of Allegiance

Minutes of the meeting of June 10,1982 adopted with three minor corrections :

1. On Page 2, the bottom paragraph, beginning, "From Bill Martinez.." is duplicative of the fourth paragraph on this same page.

2. On Page 4, in the first sentence of the last paragraph it should read: "A community coalition was formed (not informed) to resist..."

3. On Page 5, the title "Gay Advisory Committee" should precede the agenda heading "Requested Approval of Letter to Alice Lytle, etc." at the bottom of the page.

COMMUNICATIONS

- From, Henry Der, Executive Director, Chinese for Affirmative Action, enclosing a copy of Police Chief Cornelius Murphy's June 4 letter to him regarding a press statement attributed to Sgt. Donald Miles about incidents involving the South-east Asian refugees in the Bayview-Hunters Point neighborhood. Mr. Der wrote to the Chief June 3 expressing a concerns about these public remarks. Chief Murphy responded that... "Sergeant Miles was simply expressing his personal in-sight to the matter at hand..." This material was read in the full by Director Mickins.

- From Mr. Der, a copy of his June 15 letter to Chief Murphy on the above sub-ject, stating that CAA asks that he " take steps to clarify and strengthen your de-partment's policy on the issuance of public statements and responses to public inquiries." This letter also was read in full.

Director Mickins commented that the above concerns of CAA are similar to those expressed by it to the HRC and others earlier, and reported in the HRC's Minutes of June 10, regarding other public statements attributed to a police officer re-garding a crime incident.

Mr. Mickins noted that the Intergroup Clearinghouse is considering the earlier matter, and will expand its inquiry to the Southeast Asian refugee residents of the Bayview-Hunters Point neighborhood matter.

- From Mayor Dianne Feinstein, a Memorandum of June 17 to all department heads, and all Chairpersons of commissions and boards appointed by the Mayor, reminding that the Rules of Order of the Board of Supervisors require that proposed Charter Amendments be submitted to the Mayor's Office for preliminary comment, and asking that in the future there be prior consultations with her office. The HRC noted that it has never proposed a Charter Amendment, though it has taken positions endorsing or opposing proposed Amendments.

- From Juanita Del Carlo, Director of the Mission Hiring Hall, commenting on the HRC Minutes of April 29,1982 recounting the testimony from Hispanic community members pertaining to the HRC definition of Hispanics for purposes of the affirmative action. Ms. Del Carlo stated that in her opinion deletion of the (European) Spanish reference in the current definition ("All persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.") would be discriminatory. Director Mickins read this letter in full, and stated that he had referred it and all others he receives on this issue to the City Attorney, who has been asked for a legal opinion on whether the HRC can alter its Hispanic definition as has been proposed.

- From George Agnost, City Attorney, a copy of Opinion No. 82-34 of June 22, 1982 on the Effect of City's Anti-Discrimination Ordinance (Chapter 12B of the City Administrative Code) on the Redevelopment Agency, as requested by John L. Taylor, Acting Clerk, Board of Supervisors May 27,1982 on behalf of Supervisor Harry Britt.

Director Mickins recalled that Mr. Paul D. Hardman, publisher of The Voice newspaper, had sent a letter to the Human Rights Commission confirming a telephoned complaint (reported in the Minutes of the HRC June 10,1982) regarding the decision of the San Francisco Redevelopment Agency to allow The Glad Tidings Temple to acquire real property (for a parking lot) in the Western Addition,"...despite the fact that numerous witnesses testified at the public hearing that a religious group (Save Our Souls, or SOS) which uses space in the Glad Tidings building discriminates on the basis of sexual orientation."

Mr. Mickins on June 9 forwarded a copy of Mr. Hardman's protest letter to Mr. Wilbur Hamilton, Executive Director, Redevelopment Agency, stating that the HRC does not have jurisdiction under Chapter 12B or Article 33 of the Municipal (Police) Code in the matter. The City Attorney had been asked for an opinion on the question of the Redevelopment Agency's being bound by Chapter 12B (the Non-discrimination Ordinance) specifically with respect to entering into land use agreements with groups that practice or encourage discrimination.

The Conclusion announced in Opinion No. 82-34 as read to the HRC was "No. the City's Anti-Discrimination Ordinance is not applicable to the Redevelopment Agency of the City and County of San Francisco." The Opinion document concludes, on Page 7, "The sections of the Health and Safety Code.... make clear that the state law covers the whole field of the procedure of a redevelopment agency, includings its behavior when entering into a contract"... and"...state law concerning redevelopment has preempted local legislation..."

Chairperson Lyon provided the Director at this meeting a copy of an article signed by Mr. Hardman in the June 18,1982 edition of The Voice. The article was printed with a copy of Mr. Mickins' June 9 letter to Mr. Hamilton, and was read in full to the HRC at this meeting. It criticizes Mr. Mickins' position on the lack of jurisdiction of the HRC in this matter. It concludes: "I contended that the Director of the Human Rights Commission has a moral duty to fight discrimination, not to create the apologetics for those accused of discrimination, especially when the accused are appointees of the Mayor."

- Director Mickins will provide all Commissioners with copies of this Opinion No. 82-34 of June 22, 1982.

- From Mayor Dianne Feinstein, a copy of a Proposed Charter Amendment (First Draft) Amending Section 3.102 of the Charter Relating to Absence from the State of Officers of the City and County.

This went June 14 to all department heads, asking for comments on the effects, if any, on their respective jurisdictions of the proposed amendment. It would exempt from the need to obtain official permission any absence which does not exceed two weeks.

-From John L. Taylor, Acting Clerk of the Board, a revised schedule of hearings on the 1982-83 departmental budgets. The HRC's budget was to be reviewed by the Finance Committee of the Board of Supervisors on this date, June 24, at 1 P.M.

DIRECTOR'S REPORT

- Condolences to Family of Former Commissioner Louis Garcia.

On behalf of the HRC members and staff, Director Hickins has sent a formal letter of condolence to the widow and family of Judge Louis Garcia, Presiding Judge of Municipal Court, who was a member of the HRC from 1968 to his resignation in 1972, and who died of a heart attack June 10,1982. Director Hickins expressed the gratitude of all for the many contributions of Judge Garcia to the HRC.

- HRC Budget for 1982-83.

The Board of Supervisors voted the Consent Calendar at its regular meeting June 21, 1982 on which an item granting a supplementary budget request to recover the allocation to the HRC from the Commission on the Aging which had been eliminated from the COA budget recently. A Second Reading by the Board is required for these actions.

Director Hickins again announced that he would be present at the Finance Committee at 1 PM on this date for the formal review of the HRC budget request for 1982-83 and all Commissioners who were able were asked to join him.

REPORT OF THE CHAIRPERSON

- Mayor's Handgun Ordinance.

The Board of Supervisors passed by a vote of 6 to 5, for the First Reading, the Mayor's Handgun Control Ordinance, endorsed by the HRC March 25, 1982.

STANDING COMMITTEES

POLICE LIAISON/SOCIAL ISSUES
Joan Zamora Moulton/Richard Sevilla, Co-Chairpersons

- Recommended Position on Charter Amendment to Establish an Office of Citizen Complaints in the Police Department.

This Charter Amendment was voted by the Board of Supervisors May 24, 1982, for the November ballot, and would create in the San Francisco Police Department, an Office of Citizen Complaints. Its sponsers on the Board were Supervisors Britt, Silver, Walker, and Ward.

The HRC's chronological history on citizen complaints were outlined briefly by Jack Casford, staff to the Police Liaison/Social Issues Committee, to which the Charter Amendment issue had been referred by the request of Commissioner Moulton at the HRC meeting of June 10.

1. In 1974, the Police Liaison Committee submitted eleven specific recommendations, discussed in full by the HRC September 12, 1974 at its regular meeting, to the Police Department's Internal Affairs Bureau on authorization of the HRC. Many dealt with citzen complaints. Followup was done by the HRC on the Police Department's response over the next several months.

2. On August 12, 1976, followingCommittee discussion and a full presentation by Tom Gee, of the San Francisco Bar Association, the HRC formally endorsed The Bar Association of San Francisco's (26-page) Proposed Citizens' Complaint Procedures for the San Francisco Police Commission.

3. On June 25, 1981, the HRC formally reaffirmed its August 12, 1976 endorsement of the Bar Association's proposal.

A draft letter had been provided all Commissioners by the Committee prior to this Meeting. It was read in full, and, after discussion and some minor rewording, it was

*****m/s/c to authorize the sending of the letter to Mayor Feinstein, with copies to all Supervisors and others, including the American Civil Liberties Union, endorsing the establishment(within the Police Department) of an Office of Citizen Complaints, and endorsing also the proposed Charter Amendment for the November,, 1982, ballot to achieve this. A copy of this letter is attached to these Minutes.

- Commissioner Yamakawa requested an updated status report on the Cuban-Haitian refugees' benefits, which was a crisis issue in March and April of this year.

GAY ADVISORY
Richard Sevilla/David K. Yamakawa Jr. Co-Chairpersons.

- Requested Endorsement of the Concept of a California State Equal Rights Amendment .

Commissioner Sevilla asked that his agenda itembe postponed. Proponents of introducing an ERA amendment in the California Legislature prefer to wait until after June 30 and the national status of the ERA state ratifications is determined. At this date, only 35 of the required 38 state ratifications had been obtained.

- Requested Approval of Letter on Behalf of the HRC to the San Francisco Examiner Regarding a May 10,1982, By-lined Article.

The members of the HRC had earlier been provided with copies of the draft letter and of the article in question, headed "Rapist Dreamed of Making Sex Fantasies Come True," and written by Rebecca Salner, Examiner staff writer. The article, the letter notes, quoted a psychiatrist who diagnosed the man convicted of rape as " a convicted rapist suffering from a mixed sexual disorder that included facets of transvestitism, pedophilia, sadism and homosexuality." The draft letter states that 'Homosexuality is not included (in the Diagnostic Statistical Manual III (DSM III) and is in no way connected to sexual disorders."

Commissioner Ambrogi stated that he felt that the proposed letter as worded represented "overkill" for this Commission to be taking so strong a stand trying to, as I understand it, educate a staff writer of the Examiner about some sensitivities she ought to have." He said he wanted it clear that while he agreed fully with (concerns of) the letter, he felt it was somehow misplaced.

Chairperson Lyon commented that she felt that the lack of knowledge was on the part of the psychiatrist quoted, rather than the writer who quoted him.

Commissioner Weiner concurred with the substance of Commissioner Ambrogi's remarks, and asked if the HRC couldn't find some way to sensitize the paper and its reporter for guidance in writing on such subjects in the future.

Commissioner Soler stated that she got no sense of a strong indictment in the wording of the letter, and that an attempt was made in drafting it not to indict the writer, but rather the attitudes being reported. The letter contains the sentence: "It is the responsibility of the press to present truth, not innuendo and the perpetuation of myths."

Commissioner Wade joined in ensuing discussion as to how the letter could be worded so as to clarify a stance urging more sensitization of reporters and editors, stressing the need for more review before printing stories on such subjects, urging future caution, and focusing on the informational and educational nature of the HRC concerns.

Commissioner Sevilla stated that while he understood some of the concerns expressed, he felt that if a major social agency did not take a stand on the issue, nobody would, and this was one "smaller" issue on which the HRC could take a position, in addition to its work with "larger" issues.

With agreement among the Commissioners that:

The letter would conclude with a request for a formal meeting with the editor and the reporter (Rebecca Salner) in order for HRC representatives to discuss its ideas and suggestions, it was

****m/s/c to adopt the letter to David E. Halvorsen, Editor of the San Francisco Examiner, regarding the May 10,1982 article by Rebecca Salner as amended to include a request for a meeting with them. A copy of that letter is attached to these Minutes.

- Requested Approval of Letter to Richard Rosenbloom, Producer of Columbia Broadcasting System Program, "Cagney and Lacey," as Quoted in TV Guide June 12-18 1982 edition.

Copies of this letter also had been distributed, along with a copy of the article in question, to Commissioners before this meeting. The article, under the Headline "TV Update," quoted Mr. Rosenbloom and an unnamed CBS programmer about the "softening of the CBS program featuring two women detectives because "CBS believes the main characters are 'too tough, too hard and not feminine!"

With the deletion of one paragraph , an action initiated by Commissioner Weiner, it was

*****m/s/c that the HRC approve the sending of this letter to Richard Rosenbloom, Producer, "Cagney and Lacey," CBS, New York City. A copy of the letter is attached to these Minutes.

- Jackie Winnow, HRC staff to the Gay Advisory Committee, was commended by the Chairperson for her work on these two letters. Ms. Winnow in turn commended Eileen Gillis, a volunteer worker at the HRC, for her many contributions on researching and writing these materials.

- Followup to Letter to Alice Lytle (June 10,1982), Director, State Consumer Services Agency, Urging Continuance of the Sexual Orientation Project.

This was a request that the State and Consumer Service Agency continue a training program, "Discrimination Based on Sexual Orientation," intended to educate state personnel regarding Executive Order B-54-79, the order banning discrimination in state employment based on sexual orientation.

Commissioner Sevilla said that it has been learned that this training program has been re-funded and will be continued.

Commissioner Sevilla thanked Jackie Winnow for her extra work on behalf of the Gay Advisory Committee while his academic duties prevented him from his HRC duties to some extent.

- Commissioner Yamakawa commented on two matters of GAC concern and activity:

1. The Committee is in the process of recruiting new members and is doing outreach to obtain applicants for a broadly-based representation of the full Lesbian /Gay community .

2. The HRC Gay Advisory Committee will have a booth at the Civic Center as part of the Lesbian/Gay Freedom Day Parade on Sunday, June 27. The booth will feature copies of "Fight Back!", a new pamphlet providing information for persons who suffer discrimination because of sexual orientation. The pamphlet was prepared by the HRC staff and members of the GAC, and some 3,500 copies will be distributed. It explains how the Lesbian/Gay Community Liaison Worker (Jackie Winnow) can help in complaint filing procedures at the HRC. All Commissioners were invited by Commissioner Sevilla to participate in the Parade events.

YOUTH AND EDUCATION
Brenda Wade/Rabbi Martin S. Weiner-Co-Chairperson

- Committee Report. -Commissioner Weiner.

Bob Williams, Coordinator of the Mayor's Summer Youth Employment and Training Program, was the guest of the Committee at its June 17 meeting for a full discussion of summer youth programs in the City. He reported that some $3.1 million have been appropriated from the federal government under the former Comprehensive Employment and Training Act which provides this summer 4,000 youth jobs. These jobs and monies are dispersed through community-based agencies. Recruitment of youths in the age range between 14 and 21 begins in late April, for positions in nonhazardous jobs, such as clerical and other office work. The program starts officially June 28 for six weeks. Target areas include the Richmond-Sunset, Potrero Hill, Chinatown-North Beach, the Western Addition, the Mission, the Outer Mission, Oceanview, Merced Heights, and Hunters Point. The youth in this program work 20 hours per week and will be paid the $3.35 federal minimum hourly wage.

Private industry, under the Mayor's Summer Jobs Program, will provide some 400 jobs this summer, and the companies will pay the salaries, which will be more than the minimum hourly rate as a rule.

With 4,400 job slots available, Mr. Williams stated that there was a need for 10,000 in San Francisco this summer.

- Requested Adoption of Resolution Urging the San Francisco Board of Education Action Regarding the Gay Community in the Family Life Education Program-Commissioner Weiner

Persons selected for these summer youth jobs have to be San Francisco residents, and from economically disadvantaged families .

Commissioner Weiner noted that the HRC and the Youth and Education Committee, under the leadership of Commissioner Sister Giles, have been involved in the School District's Family Life Education Program, dating back to 1976, when the HRC adopted a Resolution (May 13) urging that the Board of Education take action regarding the Gay Community, followed by the Board establishment in May 1977 of an Advisory Committee on Health and Family Education as part of the Curriculum Committee of the Board.

The Commissioner noted, however, that the Family Life Education Program has suffered of late from a reduction of staff and from being a "lower priority" at the District. He stated that the proposed Resolution at this meeting was in a sense to reaffirm the HRC's long-standing interest in this subject.

The Committee, he said, would like a strengthened staff and a strengthened Advisory Committee as well.

He noted that there had been extensive, in-depth discussions of the proposed Resolution at the Committee, including Commissioner Morrissey (on vacation and not present on this date, June 24).

Following on a suggestion by Commissioner Yamakawa regarding guidelines for selection of speakers for the Program, it was

****m/s/c that the HRC adopt the Resolution Urging Board of Education Action Regarding the Gay Community in the Family Life Education Program. A copy of this Resolution is attached to these Minutes .

NEW MATTERS

- Victor Theusen Regarding Complaint by Skycaps from San Francisco International Airport.

Mr. Theusen, legal counsel from the Brotherhood of Railway Clerks, AFL-CIO, representing some 75 Skycaps at San Francisco International Airport, briefly reviewed employment problems on which there will be filed a formal complaint with the HRC asking its action on charges of violation by the Airports Commission and some 28 separate airlinesof Chapter 12B, the Nondiscrimination Ordinance. Mr. Theusen said under a recently-completed settlement agreement by the Airports Commission with the individual airlines, a collective bargaining agreement under which the Skycaps had worked for a contractor to a consortium of airlines will be negated. He said this agreement's (since 1963) provisions for sick leave, paid vacations,wage standards, pension, health, and welfare benefits, etc. will all be cancelled, and the Skycaps, one-fourth of whom have 25 years or more tenure, will, to keep their jobs, have to forgo all these benefits and work for the minimum $3.35 per hour.

Mr. Theusen said he had filed a complaint with the National Labor Relations board. Commissioner Ambrogi stated he would feel more comfortable hearing this case after all the facts are before the Commission.

OLD MATTERS

- Request By Veterans' Career Services for Endorsement.

Commissioner Ambrogi asked for the status of this requested endorsement of a proposal by Veterans' Career Services to the State of California to obtain the Mission Armory Building at 14th and Mission Streets for use as their organization's headquarters and a number of other community purposes.

This endorsement was referred June 10 to the Police Liaison/Social Issues Committee. Representatives of VCS (Clifton B. Sommer, James A. Chippero, and Art Hoffman) attended the PL/SI meeting June 15 and made an extensive presentation on their proposal. In the absence of the Co-Chairpersons and Commissioner members of the Committee, any decision was postponed until a further meeting. VCS is seeking endorsement from a number of groups in the City and said the HRC was one of the first to respond to their form request. They are asking that the state "sell" the facility for $1 to them. They say it would cost$1 ½ million to bring the building up to Fire Code and up to$19 million to redo it totally. They told the Committee they wish no governmental grants, but would rely totally on private-sector grants and donations.

CALENDAR MATTERS

- The next regular meeting of the HRC will be at 10:15 AM in the Third Floor, Commission Room, of the Main Library on Thursday, July 8,1982. This will be the only meeting in the month of July.

STANDING COMMITTEES

- Employment Thursday, July 1, 1982
9:30 AM
1650 Mission Street

Gay Advisory Tuesday, July 20,1982
Noon
Third Floor, Commission Room, Main Library

STANDING COMMITTEES

Housing & Urban Development	Monday, June 28,1982 3:30 PM Room 509, HRC Offices
Police Liaison and Social Issues	Tuesday, July 20,1982 3:30 PM Room 509, HRC Offices
Youth and Education	There will be no July meeting. There will be a meeting on: Friday, August 20,1982 3:30 PM John Adams Community College Center 1860 Hayes Street, Room 136

NO REMARKS FROM THE AUDIENCE

Adjournment

Respectfully submitted,

Grant S. Mickins,
via Jack Casford

Attachments 1-4

GSM:JC:bclp
June 28, 1982

City and County of San Francisco

Attachment #1
HUMAN RIGHTS COMMISSION
Office of Contract Commission
Office of Dispute Resolution

June 29,1982

The Honorable Dianne Feinstein
Mayor, City and County of San Francisco
Room 200, City Hall
San Francisco, Ca. 94102

Dear Mayor Feinstein:

The Human Rights Commission, following a long-standing position in favor of the establishment of an Office of Citizen Complaints, has voted (in its regular meeting of June 24,1982) to reaffirm this official position and endorse the proposed Charter amendment that the Board of Supervisors voted May 25 to place on the November ballot.

The HRC's interest in this field dates back to September 12, 1974, when its Police Liaison Committee was authorized by the HRC to make 11 specific recommendations to the San Francisco Police Department's Internal Affairs Bureau regarding procedures for processing complaints brought to the Department. The Bureau responded to a number of these recommendations.

On August 12, 1976, the HRC endorsed a detailed Proposed Citizens' Complaint Procedures for the San Francisco Police Commission by the Bar Association of San Francisco after discussion on a formal presentation by Tom Gee of the Bar Association at a regular HRC meeting.

The HRC formally reaffirmed this endorsement on June 25, 1981.

The HRC therefore now wishes to endorse establishment of an Office of Citizen Complaints in the Police Department and the proposed Charter amendment for the November ballot to achieve this.

Sincerely,

Grant S. Mickins
Director

GSM:bclp

cc: Supervisors Quentin Kopp, Harry Britt, John Molinari, Louise Renne, Carol Ruth Silver, Richard Hongisto, Wendy Nelder, Lee Dolson, Willie B. Kennedy, Nancy G. Walker, Doris Ward, John L. Taylor, Acting Clerk of the Board of Supervisors.
David Sanchez, President, Police Commission
Tom Gee, San Francisco Bar Association
Amatai Schwartz, Staff Counsel, American Civil Liberties Union

Attachment #2

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

June 24, 1982

Mr. David E. Halvorsen
Editor
San Francisco Examiner
110 Fifth Street
San Francisco, CA 94103

Dear Mr. Halvorsen:

The Human Rights Commission of San Francisco, at its regular meeting of June 24, 1982, agreed to write to you expressing its concern regarding the article entitled "Rapist dreamed of making sex fantasés come true" written by Rebecca Salner, which appeared in the May 10, 1982 edition of the San Francisco Examiner. We believe this article contains inaccuracies and distortions perpetuating myths concerning homosexuality; primarily that it is a mental illness and additionally that it is connected with acts of rape, pederasty, and kidnapping. Additionally, we wanted to call this to your attention to offer information and insight which may be useful to you in the future.

In the aforementioned article, it is reported that Dr. Charles Casella, a psychiatrist, diagnosed Terry Ray Cook as a "convicted rapist suffering from a mixed sexual disorder that included facets of transvestitism, pedophilia, sadism and homosexuality." In the Diagnostic Statistical Manual III (DSM III), the standardized diagnostic manual of the established psychiatric field, Paraphilias (which include Fetishism, Transvestitism, Zoophilia, Pedophilia, Exhibitionism, Voyeurism, Sexual Masochism, and Sexual Sadism) classify as sexual disorders. Homosexuality is not included and is in no way connected to sexual disorders. In the entire section on psychosexual disorders only one mention is made of homosexuality and this is in reference to the category labeled "Ego-dystonic Homosexuality (302.00)" This section is reserved only for homosexuals who exhibit persistent desires to change their sexual orientation, related either to a relatively new awareness of, and therefore, difficulty in adjusting to their homosexual impulses, or a desire to have the privileges society affords to those living in traditional heterosexual nuclear family arrangements. Societal pressures, homophobia, and sexual orientation discrimination play the major role here, not mental illness. Homosexuality was declassified as a mental illness by the American Psychiatric Association in 1973 and the DSM III was changed to reflect this policy.

Our second issue concerns the implications perpetuating the myth that homosexuals are over-represented in the population committing violent crimes as rape, kidnapping, and pederasty. In the fourth column, the article states: "Cook, who had a brief homosexual affair with an older youth minister, told Casella all his girlfriends had been young because he insecure with girls his own age." This statement implies a strong connection between the man's homosexual experiences and his actions of rape, pederasty, and inability to form a proper relationship with a person of a similar age. According to Linda Eberth of the Sexual Trauma Center, adult rape is perpetuated by an almost 100% male population (94% on women and only 6% on men). Among cases involving children (according to the Child Abuse Sexual Abuse Center), once again, it is almost an exclusively male crime (99.9%), with 85% perpetuated against female juveniles and 15% against males and the perpetrators are usually family relations or friends. Rape and pederasty are male crimes; they are not homosexual crimes.

Lesbians and Gay men suffer greatly from myths, sterotyping, and scapegoating within this society. It is the responsibility of the press to present truth, not innuendo and the perpetuation of myths. In that spirit, we respectfully request that the San Francisco Examiner consider the effect on people when reporting news that may possess a societal impact, especially as it concerns misunderstood minorities. We would like to meet with you, Ms. Salner, and any other appropriate San Francisco Examiner staff to discuss this matter further, to answer questions, and help with sensitization in this area. HRC's Lesbian/Gay Community Liaison, Jackie Winnow, will call you in approximately ten (10) days to arrange the appointment. Thank you for your cooperation.

Very truly yours,

Phyllis Lyon
Chairperosn

PL:JW:EG:vee

Rapist dreamed of making sex fantasies come true

By Rebecca Salner
Examiner staff writer

SAN JOSE — Terry Ray Cook left his San Jose home last August determined not to come back until he fulfilled a 5-year-old fantasy of abducting and raping a skinny, petite and flat-chested young girl.

It didn't take long.

Within hours, Cook spotted a 12-year-old San Jose girl riding her bicycle. He forced her into his van and raped her, even though he knew her friends had seen him, according to court records. He reportedly told the girl he would get even if she ever told anyone about the incident.

Cook, who pleaded guilty to charges of rape and kidnapping in April after the girl testified against him during a closed preliminary hearing, last week was accused of trying to hire an assassin to kill his victim and her parents for $2,000 and a car.

But the man Cook allegedly tried to hire called police.

According to the informant, Cook was angry at the girl for testifying against him and angry at her parents for not stopping her, Detective Bert Caro said. He wanted the informant to rape and torture the girl before killing her and her parents, according to Caro.

Deputy District Attorney Alan Nudelman is seeking a court order to force Cook, who is serving a 24-year prison sentence at Vacaville, to return to Santa Clara County and face new charges against him, three counts of solicitation for murder.

The 23-year-old San Jose mechanic's sexual obsession with young girls began long before his compulsive search for a little dream girl.

Cook, the eldest of five children born to Leon and Shirley Cook, told court-appointed psychiatrists last fall that his father forced the children to have sex with each other and with him while they were growing up, according to court documents.

"When my mom wasn't home, as far back as I can remember, our dad used to have us take off our clothes and parade around the living room and have sex with our sisters. I saw my sisters playing with my dad and him with neighborhood girls," Cook told psychiatrist James R. Missett.

The couple was divorced when Cook was in high school.

Cook described his father, who was a television repairman until a car accident 10 years ago prevented him from working, as "a skid row alcoholic." Cook told psychiatrists he does not know where his father is now.

TERRY RAY COOK
Told of troubled teen years

His mother, a nurse who remarried after the divorce, hung up the telephone without comment when contacted by The Examiner.

Cook, an athletic teen-ager, graduated from San Jose's Pioneer High School in 1976. He sang in the church choir [illegible] and played soccer [illegible]

breaking into a home. He spent eight months at the California Youth Authority.

While there, he told Missett, he thought about "how to get away with raping a young chick."

He later served 18 months of a 27-month sentence in Santa Clara County jail for another home burglary.

During high school, he told Palo Alto psychiatrist Charles Casella, he began to dress up in his sisters' clothes and wear makeup. He said it gave him a thrill. He shaved his legs, curled his brown hair and later dyed it blond.

He told Missett he had stopped dressing up as a girl about six to eight months before his arrest last August.

Cook, who had a brief homosexual affair with an older youth minister, told Casella all his girlfriends had been young because he felt insecure with girls his own age. He said he was living with his 16-year-old girlfriend when he abducted the 12-year-old San Jose girl.

"I was always preoccupied with young chicks," Cook told Missett. "I would juggle around the TV, trying to find young chicks, or just chicks. I was chiefly interested in girls between ages 10 and 14.

"Maybe about 100 times before my arrest, I [illegible]

raping a young chick, but the perfect opportunity never came up," Cook told Missett.

His fantasies revolved around an attractive, white, pubescent girl wearing shorts, Cook told Missett, and finally they got to be an obsession. He couldn't get those girls out of his mind, he told Missett.

"I would hang around parking lots and be scheming about chicks, but I'd tell myself 'Terry, don't do it; it's not worth it.'"

Cook told Dr. John B. Peschau Jr., "I felt bad about it [referring to the kidnap and rape of the 12-year-old San Jose girl] but part of me was totally thrilled to have this petite thing at my disposal."

Both Peschau and Casella reported to the court last fall that they believed Cook was a mentally disordered sex offender.

Casella diagnosed the convicted rapist as suffering from a mixed sexual disorder that included facets of transvestitism, pedophilia, sadism and homosexuality. In his written report, he cautioned that his diagnosis was based on unconfirmed statements from Cook about his background.

Missett reported that Cook was not a mentally disordered sex offender, even though he did have some sexual problems.

Cook, who told Missett he wanted to "put all this behind me and rededicate myself to God," is a poor risk for rehabilitation, the psychiatrist reported.

Missett believes Cook's crimes could be his way of undoing the "shame, humiliation, pain and suffering he endured at the hands of his father."

Woman feared drowned in river

Examiner news services

SACRAMENTO — Fast-moving, rain-swollen waters forced a halt yesterday to an underwater search for Pamela Sue Duvall, 23, feared drowned in a rafting accident on the American River.

Duvall, of the Sacramento suburb of Carmichael, failed to surface after a raft she was riding with three other women overturned late Saturday afternoon on a stretch of river adjacent to a county park, authorities said.

Two coroner's divers searched along a [illegible] stretch of the river [illegible]

City and County of San Francisco

Attachment #3
HUMAN RIGHTS COMMISSION
Office of Contract Compliance
Office of Dispute Resolution

June 24, 1982

Mr. Richard Rosenbloom
Producer, "Cagney and Lacey"
Columbia Broadcasting System
51 West 52nd Street
New York, N.Y. 10019

Dear Mr. Rosenbloom:

The Human Rights Commission finds the statements in the article entitled "CBS Alters 'Cagney,' Calling It 'Too Women's Lib'", which appeared in the June 12-18, edition of the TV Guide (Vol.30,No.24), deplorable and objectionable in its sexist, anti-Lesbian, and generally homophobic content.

Too few positive role models currently appear on television for women. Women can be friends and co-workers with one another, and depicting them as "buddies" should not be seen in a negative light. The statements made by the unnamed CBS programmer belittling the hard-fought-for rights of women-namely the women's liberation movement- are indications of a backslide and an attempt at making women stay in their place. We fear that this trend will soon lead to removing the character played by Tyne Daley because she is married and therefore should remain at home instead of having a career.

Lesbians are an integral part of this country and women's liberation. As long as Lesbians stands as pariahs, all women will be divided from one another for fear of being called a "dyke".

There has been a long, ongoing debate as to whether the media works to set the views of people, or whether people's views set media programming. Whichever view one takes, it is evident that the media has a clear impact on societal attitudes. Therefore, the media has an obligation to consider the consequences of its actions.

You end your statement stating that although you do not think it fair that the program had to end the relationship of the two women characters, 'some of CBS's research picked this up." We request that you send us this research as soon as possible, as well as a reply to this letter. Thank you for your cooperation.

Very truly yours,

Phyllis Lyon
Chairperson

PL:JW:bct:bclp

cc: Daniel Richie, Manager, CBS
Art Kern, General Manager, KPIX
George Bajurin, Regional Manager, TV Guide
Commissioner Jo Daly, San Francisco Police Commission
San Francisco Commission on the Status of Women

TV Update

SAN FRANCISCO METROPOLITAN EDITION

CBS Alters 'Cagney,' Calling It 'Too Women's Lib'

Hollywood—*Cagney & Lacey*, a cop show about two women detectives, is being "softened" because CBS believes the main characters are "too tough, too hard and not feminine." A CBS programmer who declined to be named, said the first step in renovating the series was to replace actress Meg Foster, whose character in the show was unmarried. No replacement for Foster has been named. "We decided to keep the character who was played by Tyne Daly," said the official, "because she was less threatening."

The CBS programmer said the show was being revised to make the two main characters less aggressive. "They were too harshly women's lib," he said. "The American public doesn't respond to the bra burners, the fighters, the women who insist on calling manhole covers people-hole covers. These women on *Cagney & Lacey* seemed more intent on fighting the system than doing police work. We perceived them as dykes."

Richard Rosenbloom, the producer of the series, said he was aware that the characters of Cagney and Lacey were too strident. "There were some scenes in which they seemed to be more man than the men," said Rosenbloom. He said that he had to overcome the feeling that two women who worked in a male-dominated profession could be perceived as being gay. "Two guys, Starsky and Hutch, or Redford and Newman, aren't considered ags or homos," said Rosenbloom. "They are pals, buddies. It's strange, but if it is two women, people say 'What's going on?' I think that is unfair and unfortunate and had nothing whatsoever to do with the show, but it seems that some of CBS's research picked this up."

Vin Scully is angry. The veteran sportscaster has rejected a new 10-year deal at CBS that would have paid him more than $7 million because he claims the network reneged on a promise to let him broadcast the 1982 Super Bowl. A senior CBS official denied Scully's charges, saying that although Scully had support to do the broadcast, CBS management chose Pat Summerall, at least in part because Summerall is a full-time CBS announcer and Scully is not. Besides his CBS duties, Scully is the voice of the Los Angeles Dodgers baseball team.

Scully is refusing to broadcast any NFL games this coming season. "He feels he was lied to," said another CBS executive, "and he doesn't want to work for us. It's that simple." Ed Hookstratten, Scully's lawyer, said that he has had discussions with NBC and ABC about the sportscaster, whose contract with CBS expires this year.

—Frank Swertlow

New York—Starting next March, for two seasons, ABC will televise 20 games each season of the upstart United States Football League. The league will play a spring and early-summer schedule and ABC will telecast USFL contests on Sunday afternoons along with one game in prime time. TV industry sources estimate that ABC's two-

Continued on page A-20

TV GUIDE, 24 California St., Suite 700, San Francisco, 94111, (415) 981-1820

As We See It

☐ The ratings of the *CBS Morning News* may well improve now that the network has changed the format of its 18-year-old hard-news show to make it competitive with ABC's *Good Morning America* and NBC's *Today*. CBS even hired *GMA*'s former executive producer, George Merlis, to help add the same kind of razzle-dazzle he injected into ABC's morning show.

We understand CBS's motives in creating its new *Morning News*. Networks are not in business to lose money, and CBS's morning news programming has been in the red for years. (So far, the new format's ratings are about the same as the old.)

☐ But we also heave a nostalgic sigh. Because, as of the moment, all three network morning shows are pretty much carbon copies of one another. Each relies on a format derived from the conviction that viewers want news and information they can use—infotainment, if you will—delivered in sh punchy segments much like the F gramming on drive-time AM radio.

These days, whether you tune in CBS, ABC or NBC at 7 A.M., you'll se short news capsule, followed by weather, the sports, a political-pers ality interview, tips on personal fina and health, and entertainment news, packaged in easily assimilated chunk

☐ What has been lost are all the q ities that made CBS's morning progr unique on commercial television. unpredictability, for example. And extraordinarily high level of wri done by anchors like Bruce Mor Hughes Rudd or Charles Kuralt, staffers like Ray Gandolf.

Now the unpredictability is go along with the conviction that News would offer its viewers m news in the morning than anyone else

☐ It is painful, though understandab to watch a program give up strengths in search of ratings poin Though we understand why it has be done, we still mourn the loss.

Advertisement

City and County of San Francisco

Attachment #4
HUMAN RIGHTS COMMISSION
Office of Contract Compliance
Office of Dispute Resolution

RESOLUTION URGING BOARD OF EDUCATION ACTION
REGARDING THE GAY COMMUNITY IN THE FAMILY LIFE
EDUCATION PROGRAM

WHEREAS, the Human Rights Commission adopted a resolution May 13, 1976 urging Board of Education action regarding the ay Community; and

WHEREAS, that resolution stated in part: "The San Francisco Unified School District has the responsibility to protect the rights and safety of all students and staff to educate its students to the basic rights of all people"; and

WHEREAS, the Board of Education, in May of 1977, adopted a resolution authorizing the establishment of an Advisory Committee on Health and Family Life Education of the Curriculum Committee of the Board of Education; and

WHEREAS, there has been a continuing escalation of violence against Lesbians and Gay men as reported by the Community United Against Violence;

NOW, THEREFORE, BE IT RESOLVED, that the Human Rights Commission urge the reactivating of Health and Family Life Education classes within the San Francisco Unified School District; and

BE IT FURTHER RESOLVED, that the San Francisco Unified School District designate a single adminstrator to be responsible for Family Life Education; and

BE IT FUTHER RESOLVED, that the San Francisco Board of Education reetablish the Advisory Committee to Health and Family Life Education Program as a broad-based community group concerned with all aspects of Family Life Education and that this committee provide responsible speakers on all relevant issues, including speakers from the Gay and Lesbian Community. Selection of speakers should follow the guidelines established by the Board of Education and its Advisory Committee on Health and Family Life Education; and

BE IT STILL FURTHER RESOLVED, that educational workshops for administrators, parents, pupil service workers, and teachers continue to be provided and that such workshops deal with valuing and decision making and with human sexuality and adolescent physiological and emotional development; and

BE IT FINALLY RESOLVED, that Gay students, as do all students, have the right to attend school free from physical and verbal violence and harassment.

##########

Resolution 4-82

Adopted by the HRC 6/24/82

SF
HSC
#2
7/8/82

DOCUMENTS DEPT.
AUG 9 1982
SAN FRANCISCO
PUBLIC LIBRARY

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, July 8,1982

NEXT MEETING

****
*Date: Thursday, August 12, 1982 *
*Time: 10:15 AM *
*Place:Commission Room, Third Floor *
* Main Library, Civic Center *
****

Attendance:

Commissioners

Present: Clemente Obregón (presiding), Thomas Ambrogi, Samuel Chung, Antonio Grafilo, Joe Jung, John C. Morrissey, Richard Sevilla, Esta Soler, Brenda Wade, David K. Yamakawa.

Excused: Robert Edwards, Corrine Lee, Phyllis Lyon, Joan Zamora Moulton, Rabbi Martin S. Weiner.

Staff:

Present: Grant S. Mickins, Frank Anderson, Linell Warden, Stanley K. Lim, Richard Norton, Pansy Ponzio, Gail Roberts, Mary Gin Starkweather, Essie Thomas, Jackie Winnow.

Pledge of Allegiance

Minutes of the meeting of June 24, 1982 were approved without correction.

COMMUNICATIONS

From J. Edward Marshall, Attorney-at-Law to Mr. Robert Tecco, Director of Purchasing and Services with copy to HRC re: meeting of June 2,1982 concerning 'impromptu,unwarranted and 'unauthorized inspection' of the premises of Bayview Towing Association. The letter contains clarification of the fact that Bayview Towing Association storage yard at 1190 Van Dyke is not prohibited under Contract #243 "from storing towed vehicles other than Section 37A vehicles," and requests that the Police Department refrain from overmonitoring them.

From David N. Ilchert, District Director, United States Department of Justice, Immigration and Naturalization Service,to Director Mickins re: Project Jobs and the arrest of illegal aliens employed in the United States. The letter also asks the HRC to 'change current posture and support the Simpson-Mazzoli Bill now pending before Congress which would provide sanctions on the employers of illegal aliens."

Commissioner Grafilo stated that the HRC had adopted a resolution which condemned the discriminatory procedure in which a selected group of names, (Hispanic) was culled from the voter register to check if they were, indeed, citizens. He emphasized that resolution contained nothing about the employment of illegal aliens.

Regarding the request by Mr. Ilchert that the HRC support the Simpson-Mazzoli Bill, Commissioner Yamakawa stated that the S.F. Board of Supervisors has already voted not to support the Bill.

The issue was referred back to the Police Liaison/Social Issues Committee and a clarification letter will be written to Mr. Ulchert.

- From John L. Taylor, acting Clerk of the Board of Supervisors, to the Human Rights Commission requesting the HRC's recommendations regarding the City Attorney's opinion which declared that : 'The City's Anti-discrimination Ordinance is not applicable to the Redevelopment Agency of the City and County of San Francisco", 'The opinion was based on the contention that the Redevelopment Agency is an instrumentality of the state..."

Some legal points were raised:

1. On its face, the City Attorney's opinion could be right because of the State control of -the Redevelopment Agency; however,

2. The Redevelopment Agency is funded through the City and County of San Francisco and the HRC monitors some of their contracts.

3. Possibly the employment aspects of the Redevelopment Agency could be included under the jurisdiction of Chapter 12B.

Director Mickins pointed out that this problem has arisen before because Chapter 12B applies only to private contractors and not to public agencies. For example, while HRC monitors the Airport contractors, we cannot monitor the offices of the Federal Aviation Administration.

Commissioner Yamakawa stated that he accepted the City Attorney's opinion, but not as a blanket answer. Director Mickins will discuss this matter further with Mr. Burk E. Delventhal, Esq. preparer of the opinion.

- From Roberta McDonough, Director of Training, CSC to Director Mickins re. request for the name of person to participate in the upcoming executive training session, Managing Motivation for High Performance, to be held August 23-27th.

- From Joseph L. Smalls, Jr. Legal Counsel for the South Carolina Human Affairs Commission requesting any material which addresses HRC's standards in assessing discrimination cases.

- From Mrs. Rosa Garcia, to Director Mickins and HRC staff re: a thank you for the HRC letter of consolation to the Louis Garcia Family.

- From Salvador F. Partible, (Incoming FAA President) and Franco E. Consolacion, (Outgoing FAA President) of the Filipino Accountants Association, Inc. to Director Mickins re: Certification of Experience of Filipino Accountants Employed by the City and County of San Francisco as required by the California State Board of Accountancy.

The letter is a formal complaint regarding the refusal of the City Tax Collector's Office to allow the review of the employees' workpapers in order to qualfiy for State CPA requirements. The HRC will investigate to determine whether or not the Tax Collector is applying this policy uniformly or if it only applies to Filipino employees and try to resolve the issue informally.

- From Myra Kopf, Commissioner of the Board of Education, to Rabbi Martin S. Weiner supporting the HRC resolution regarding including the " Cay Community in the Family Life Education Program".

- From Charles W. Walter, California State Personnel Board, to

Phyllis Lyon regarding Ms. Lyon's concern that the training program: Discrimination on Sexual Orientation" had been discontinued. The Training Course has been rescheduled for July 15, 1982.

- From John L. Taylor, Acting Clerk of the Board, to All Department Heads re: amendment of Section 8.331 relating to limited tenure appointments, which states in part that "an employee who has successfully served the length of a probationary period in a non-permanent position in a civil service classification shall be permitted to participate in promotional examinations on the same terms and conditions as a person holding a permanent appointment..." and " an employee who has successfully served the length of a probationary period in a non-permanent position... Shall be entitled to a permanent position... before the Commission certifies...persons standing higher on the list of eligibles who are not then current employees."

This amendment is to be submitted to the voters on November 2, 1982.

DIRECTOR's REPORT

Director Mickins reported on the improprieties of the S.F. Redevelopment Agency in the supervision of $5 million worth of contracts awarded under their jurisdiction.

It was emphasized that, although the HRC was reported by Mr. Wilbur Hamilton, Executive Director of the SFRA, as using similar criteria in the establishment of MBE standards, the HRC had no part in the Grand Jury's investigation of the India Basin Postal Facility Contract.

Director Mickins has spoken to Mr. Hamilton and written clarification letters to the media regarding this issue.

Although HRC staff person, Mr. Stanley Lim, was called to testify as an expert witness before the Grand Jury, nothing was mentioned about the HRC in the report except that the HRC's guidelines should be used as an example in the proper determination of qualified MBE's.

Director Nickin also reported that the Finance Committee approved the HRC Budget as submitted. However, the budget has not gone before the full Board as of this date.

Report from the Chairperson

Because Commissioner Lyon was excused there was no report the Chair.

STANDING COMMITTEES

EMPLOYMENT COMMITTEE- Antonio Grafilo/Esta Soler, Co-Chairpersons, Thomas Ambrogi, member.

1. Employment of Minorities and Women in the City-Funded Construction Contracts for Year Ending December 31, 1981-- - Stanley K. Lim, Senior Contract Compliance Officer, and Linell Harden, Contract Compliance Representative.

Mr. Lim and Mr. Harden completed an extensive written report, including a narrative and supportive statistical sections, gave highlights from their report which had already been thoroughly discussed at the Employment Committee.

Here follows the highlights of that report:

Employment of Minorities and Women in City-Funded Construction Contracts for Year Ending December 31, 1981.

This report is a status review of the employment of minorites and women by City construction contractors in 1981. It is intended to

serve as a companion to the MBE/WBE report issued early this year. The presentation of statistical analysis, tables and figures is in line with the past reports' format to afford a clearer basis for comparison.

Throughout the year, approximately 140-150 contractors submit their work force reports each month to the HRC. These reports are then coded, analyzed, and printed in summary form by the City's data processing center. This report is based on cumulative statistics over a twelve month period from January 1 to December 31, 1981. It represents a total of nearly 60 construction contracts awarded through the City's major awarding agencies, except the Public Utilities Commission, which processes and reviews its contracts separately.

The total contracts' worth in 1981 was in excess of $34 million. The Clean Water Program was the leading awarder with 10 contracts (9 under construction) at $250 million, followed by the Airports Commission with 9 contracts for $60 million. Other City agencies including the Department of Public Works awarded 15 contracts totaled $15 million; Mayor's Office of Community Development let 40 contracts (some of them are not statistically significant enough to be included in this report) for $9.5 million, and the Port Commission with 4 contracts totaled $3.5 million. With the inclusion of the Southwest Ocean Offshore Pipe (SWOOP) contract at $150 million, the 1981 total exceeded the 1980 amount by 20%.

Another large Clean Water contract [illegible] Southeast Plant Contract 'P'--now nearing completion, is presented separately as the reporting format does not fit into the computerized mode.

For completeness of statistics, this report should be the most accurate yet since previous reports were based on a quarter or a representative month instead of for the entire year.

1. There was a total of 432,774 hours for the year, with 521,204 hours credited toward male workers, 5863 were male while 69 female. The 1981 total hours dropped 38% from the previous year. In 1980 the cumulative hours totaled over 850,000. We believe the reduction in total hours in 1981 was due to the completion of several major contracts (such as the Airport Garage) and the lack of start-up of any large contract. Contract 'P' is treated separately and does not figure in the total hours.

2. By comparing minority and female employment with prior years, the current report shows minority groups share remained at the adjusted 1980 level of 40% and women at 2.2%, down by 0.3%. Counting the skilled crafts (all except laborer, teamster, etc.), the overall average minority rate was 36%, also same as the previous year's. In the non-skilled crafts with traditional high minority membership it was 65%, compared with 69% in 1980.

3. The basis for measurement at Contract 'P' is on residency employment which accounted for only 28.4% in 1981; but minority employment was considerably higher at 51.4%. (For all practical purposes, the residency requirement will be terminated with the completion of this contract.)

4. By ethnic breakdown, the total work force is as follows: White: male, 54%, female, 54% of the total female hours, Hispanic: 22%/11%; Black: 19%/23%, American Indian or Alaskan Native; 3%/4%, Asian or Pacific Islander: 3%/7%, and Filipino:-1%/1%.

5. By comparison with 1980, there's no discernible change in the employment of male workers amongst the various ethnic groups as each continues at about the same level. But interms of female employment, the most noticeable change has been the increase of every ethnic group except Hispanic, who suffered a 2 % decline. White female workers

increased from 46% in 1980 to 54%, Black, up from 19% to 23%; American Indian or Alaskan Native, rose from -1% to 4%; Asian or Pacific Islander, gained the most from -1% to 7%; and Filipino, increased slightly to 1%.

6. 1981 was the last year in which the old employment goals were used as a measurement against the contractor's performance. In our analysis of crafts with significant work hours (1000 or more) reported, Table 1 shows 11 out 18 active trades had met or exceeded the requried employment goals for minority groups: elevator constructor, pile driver plumber, bricklayer, drywall installer, hod carrier, cement mason, roofer, laborer and construction teamster. Of the 15 trades with apprenticeship program, 9 met the 50% minority apprenticeship goal: elevator constructor, plumber, sprinkler fitter, bricklayer, carpenter, iron worker, operating engineer, sheet metal worker, cement mason and roofer. At the same time, only 1 trade out of 18 met the women employment goal 7%-9%: sprinkler fitter. However, 6 out of 15 trades met the 15%-18% women apprenticeship goal in operation up to June 1981; plumber, sprinkler fitter, carpernter, iron worker-structural, operating engineer, and cement mason.

Implications of this report

1. Taking the total 559,480 male and female work hours in 1981 and assuming each worker received $25.00 perhour, nearly $140 million would have been paid to approximately 6000 workers and each would have received an average of $23,000-- other variables such as length of service and skill level notwithstanding. No matter how one calculates it, the economic impact resulting from City construction is significant.

2. It is not clear whether the sudden and drastic change in the employment of Hispanic female workers was due to the higher quit rate among them. Some ex- Public Works employees may be employed elsewhere. In so far as we can determine, fewer of the replacements were Hispanic. By contrast, Asian and Pacific descent women showed a marked increase toward the latter part of theyear, but we are not certainwhether it was due to the increased recruitment activity in the Asian community.

3. Asian or Pacific Islander and Filipino male workers under City contractors continued to be underrepresented by comparison with their potential availability. Historically, there are fewer Asian and Filipino members in the craft union that other ethnic groups even though their population in San Francisco has been realtively high. It will take some years before Asians and Filipinos reach the level of other ethnic groups' participation as they face a different set of immediate problems: the newly arrived will need time to overcome the language barrier and familiarization with the American construction mehthods. There are others in the Asian community that do not see learning a craft as a viable career alternative because of the impermanent nature of the job and the past bias against them.

4. After six or seven years of including goals for women, their entry into the otherwise restrictive trades has lagged far behind minority groups. The major reason being that there is still strong resistance by contractors to employ women. Most of the women working on some of the City contract sites have endured numerous difficulties and have really earned their places in the industry. We also noticed there is a direct correlation between the size of the contract and the number of women employed--the larger the contract the better chance for a woman to be hired.

5. The fact that there's still a large number of skilled trades not meeting the minority goal, much less the women goal, indicates much work needs to be done. Unless more larger contracts are let, minorities and women will have to fight hard to progress beyond the current level.

Contracts Awarded By Various City Departments:

1. Department of Public Works

The number of contracts awarded through the Department of Public Works has been on a continuous decline since the completion of the Market Street Reconstruction project in 1979. There were only eight active contracts monitored by the HRC in 1981. There were only 50,-000 hours--among the lowest--recorded in a year. Of the 8 skilled trades with over 1000 hours each, 4 of them (elevator constructor, plumber, operating engineer, and cement mason) were in compliance with the minority goal; only one (carpenter) met the female apprenticeship goal. Again, the contract size was a factor in determining the level of minority and female participation. The average DPW contract size was a factor in determining the level of minority and female participation. The average DPW contract was slightly under $1' million.

2. Clean Water Program

There were 9 active Clean Water contracts, including the SWOOP project, now the largest City contract ever awarded. Together with Contract "P", these totaled nearly $350 million worth of construction contracts. They will probably be the last group of super-size contracts awarded by a single City agency for a long time to come.

The number of work hours recorded is reflective of the massive size of the Clean Water contracts. Not counting Contract "P", the other 8 contracts logged over 313,000 hours in 1981 which represent almost two-thirds of the combined hours of all other departments' contracts. Minority and female participation was 49% and 2.3% respectively, compared with the City-wide average of 46%./2/2%. Of the 9 skilled trades with significant hours recorded, 7 were in complaince with minority goal, 4 met the women apprenticeship goal.

Contract "P"

As of this writing, work at the massive Southeast Plant Contract "P" in Hunters Point is substantially completed. For three years from 1978 through 1981, it was the biggest source of construction employment in a single public contract and thelast one with residency requirements as the principal affirmative action goal. Since it is impractical to make calculations by hand on the entire 1981 statistics, we have taken a sample month (September) to illustrate the extent of resident, minority, and female participation.

Of the 26,700 hours reported, Bayview Hunters Point residents' share was 29%. Only three (carpenter, painter and laborer) out of the 9 trades with sufficient work hours showed compliance or near compliance with the residency goal of 50%. Contractors employing other trades and not meeting the goal were either placed on notice or excused by their demonstration of "good faith efforts". The difficulty in the enforcement of the residency requirements in the last two years has been the dissolution of the Administrative Committee and the initial reduction of staff and finally the closing of the Bayview-Hunter Point Affirmative Action Program due to budget cuts.

The overall minority participation was 52%., female 3%. With the exception of electrical worker, mill wright, and pipe fitter, all other trades with substantial hours were considered in compliance with the minority goal, but only 2 (carpenter and cement mason) complied with the female goal.

3. Airports Commission

With its expansion program continuing, the Airport is now the next largest City awarding agency in terms of annual construction expenditure. In 1981, 9 contracts totaling $60 million were under construction. Most of the work belonged to the Central Terminal modernization project runway improvement and other miscellaneous work formed the balance of Airport contracts.

Of the total 129,000 hours reported, minority participation was 39%., women 2.9%. It further shows 7 out of 9 active skilled trades were in compliance with the minority goal; 7 complied with the minority apprenticeship goal of 50%; 4 with the women apprenticeship goal of 12%-13% and only one met the women goal of 7%-9% for the overall work force.

4. Mayor's Office of Community Development

1981 was the third year in which the HRC received funding for the monitoring of the OCD contracts. For a 12-month period, the HRC monitored 40 contracts totaled $9.5 million. The majority of these projects were for playground and recreation facility improvements. Since most of the OCD contracts are relatively small--the average size being $239,000--the contractors who bid for them are small contractors. They usually have a few "key personnel" for whatever work available to them. Consequently little opportunity is available for new hires. This problem can affect the employment of apprentices as the number of journey level workers per craft may never reach the State required ratio of 5:1.

Much of the statistics from the OCD contracts with a construction period of 90 days or less do not enter the computer system. The contract list reflects only half of the active contracts. Of those reported, minority representation was 47%, female 1.4%, an improvement over the 1980 results.

5. Port of San Francisco

By comparison, the Port traditionally has fewer contracts awarded annually than other departments. In 1981, there were only 3 active contracts under construction. But soon this will change as the planned Ferry Building Renovation project get under way. We anticipate within the next two years, the Port will become a major awarding agency.

Of the nearly 20,000 hours reported, only 37% were credited toward minority groups and 1% for women, both are relatively lower than the City-wide a erage of 46% minority and 2.2% female participation.

OTHER COMPLIANCE ACTIVITIES:

The HRC Affirmative Ac tion Program for Construciton Contracts was revised in May 1981 under the recommendation of the Employment Committee. The objective was to reflect a more realistic approach in setting the employment goals for minority groups and women. The new goals, based partly on surveys of craft unions' membership and apprenticeship registration of minorities and women, did not go into effect until January 14, 1982. Therefore, any reference to meeting the employment goal means those established by the previous edition.

For the first time in many years, through special funding or interdepartmental work order process, the compliance staff has been expanded to cover more contracts and provide additional services previously unavailable. Special monitors are now assigned for the following projects: (Construc tion contracts only)

Airport --	Julie Yim (MBE Liaison Officer)
Moscone Center Garage-	Richard Norton
OCD --	Linell Harden & Pansy Ponzio
Clean Water --	Stanley K. Lim

It seems in 1981 that employment complaints were overshadowed by the number of MBE/WBE complaints because of the publicity generated by the latter. Nevertheless, there were 13 cases filed against contractors for alleged employment discrimination or non-compliance. None of the complaints reached the hearing stage because of corrective action taken by contractors within a specified time. In addition, an average of three to four letters of warning were issued in a month. Most of these cases were resolved without the need for filing a formal complaint.

Approximately three out of every four City contracts have some type of Federal funds involved. Aside from the minority-women business enterprise requirements established by the various Federal agencies, the standard employment "program" is based on the Office of Federal Contract Compliance Programs' (OFCCP) goals for minority and female participation under CFR Title 41, Part 60-4, and other provisions on the employment of disabled persons and Vietnam Era Veterans. Coordination with the Federal government has been lacking because of the severe understaffing at the OFCCP. Their interest is limited to spot check on a few larger contracts only, leaving many areas pertaining to the Federal requirements uncovered.

While the State of California has no employment requirements addressed to State-funded contracts--MBE/WBE Programs are available under the California Department of Transportation and State Water Resources Control Board--, the HRC has included in its Program Section 1777.5 of the State Labor Code to require the contractor to employ one apprectice for every five journey level workers at all times. The Division of Apprenticeship Standards has been very cooperative with our efforts to increase the minority and female apprenticeship roll.

One of the principle objectives of the HRC Affirmative Action Program is to ascertain that a portion of the jobs generated through City contracts go to minorities and women. This report shows once again that despite efforts made, there are still numberous obstacles to reach that objective. In assessing minority groups and women participation, whether by a group of contracts or by the overall contracts, imbalances are evident. Particularly in the employment of women, Asians or Pacific Islanders and Filipinos, generally a gross underutilization is found when measured against their potential availability. The reasons for this and other apparent deficiencies have been well documented herein. We believe the statistics alone can serve as a powerful basis for practical solutions.

It was clarified that the Redevelopment Agency figures were not included in the report.

Mr. Lim announced, with regret, that Women in Apprenticeship and the Apprenticeship Opportunities Foundation have closed and other similar programs are in danger of demise.

The Employment Committee has recommended minor language revisions in Mr. Lim's and Mr. Harden's report and it was

******m/s/c/ to accept the report with the recommended revisions.

GAY ADVISORY COMMITTEE
Richard Sevilla, David K. Yamakawa Jr. Co-Chairpersons

- <u>Endorsement of the Concept of a California State Equal Rights Amendment</u>.

In light of the fact that the Equal Rights Amendment was not

ratified on the national level by its deadline, June 30,1982, the Gay Advisory Committee voted to endorse the concept of a California State Equal Rights Amendment. Ms. Diana Leavitts, of the National Professional and Business Women's Federation and Ms. Kay Tsenin of the ERA Mobilization Project, spoke to the Committee about a state ERA.

The Committee requested that the Human Rights Commission go on record as endorsing the concept of a California State Equal Rights Amendment so that, at an appropriate time with proper legislation the HRC could act expeditiously on the matter.

There was considerable discussion by the Commissioners during which the following concerns were raised:

Commissioner Morrissey wanted to know if there is a need for a California State ERA since the State Constitution already has a clause which prohibits discrimination in employment on the basis of sex? Responses to this question included an opinion by Commissioner Soler that, in spite of the Constitution women were still lower paid than men and that, in many instances, legal findings of sex discrimination are based on previous rulings, not on the Constitution. She also stated that proving discrimination on the basis of sex as a class is very difficult.

There was concern on the part of several other Commissioners regarding the adoption of an item without specific language and the Commissioners did not want this endorsement to bind them to any language which may be written in the future. It was emphasized that his endorsement was only of the concept of a State ERA and did not rubber stamp any specific legislation.

It was motioned and seconded that the HRC endorse the concept of a State ERA. During discussion there was another motion by Commissioner Morrissey to amend the endorsement to read "The HRC endorses the concept of equal rights" thereby striking the word "amendment". The amendment died for lack of a second. It was

****m/s/c that the Human Rights Commission endorse the concept of a California State Equal Rights Amendment.

- The Gay Advisory Committee requests approval of a Draft letter supporting Dr. Betty Brooks and the Women's Studies Program at California State Long Beach; presented by Jackie Winnow, Lesbian/Gay Community Liaison.

Professor Brooks had been relieved of her teaching duties as a human sexuality instructor and the Women's Studies Program at Cal State Long Beach had been placed in receivership due to complaints by outside sources who tended toward conservative, Evangelical Christian ideology.

It was motioned and seconded that the HRC approve and send the letter. During the discussion which ensued, the following concerns were voiced:

1. Commissioner Obregón asked Ms. Winnow if the UPI information, in the June 9,1982, issue of that Examiner correct? It was felt that some of the information may have been taken of out context. The concern that "graphic anatomical slides were shown" was answered by citing that slides and films were shown in virtually all Human Sexuality classes.

2. There was concern on the part of Commissioner Ambrogi that the HRC should not be involved in the complex internal issues of Cal State Long Beach. Doubt was raised by Commissioner Wade that this was a solely an internal matter because of the public funding involved. It was also emphasized that, in previous instances of institutional racism and sexism discrimination it was pressure from outside agencies which helped resolve the situation. Ms. Winnow also stated that the complaints against Dr. Brooks had come from outside the Univeristy.

3. Several Commissioners also wanted to know why the San Francisco HRC should be concerned with an issue in Long Beach. Ms. Winnow explained that this may have far reaching effects involving the Women's Studies Program at S.F. State University.

At this point Director Mickins clarified the jurisdictional aspects of this issue regarding the HRC. He stated that this was a formal request for support received in the HRC offices. It had been discussed in Committee and presented to the full Commission. Therefore, it had gone through proper channels for consideration by the Commission.

Also, the issue is consistant with the provisions of Chapter 12A and policy on endorsements.

Discussion of the issue was then continued by the Commissioners.

4. Commissioner Morrissey wanted to know if it is common for Women's Studies Programs to advocate Lesbianism as an acceptable life-style? Ms. Winnow stated that the programs presented a variety of alternatives from which a person could make her own choice.

5. In response to another question by Commissioner Ambrogi Ms. Winnow stated that the ACLU was involved in this issue an academic freedom case. It was the opinion of Commissioner Ambrogi that academic freedom issues and human rights issues, were entirely differenct.

It was motioned and seconded that the HRC send the above mentioned letter to Dr. Stephen Horn, President of California State University, Long Beach. The vote was tied 4-4 and the motion was defeated.

NEW MATTERS

- Commissioner Sevilla related the great success of the Lesbian/Gay Freedom Day Parade. The Police and monitors worked together in harmony and it was a record turn-out.

Commissioners Morrissey and Sevilla requested that formal letters of commendation be drafted by the Human Rights Commission Staff and sent to the S.F. Police Dept. and the Parade Committee.

- Commissioner Chung expressed concern that certain issues that he did not consider totally Gay-oriented came before the HRC and the public from the Gay Advisory Committee. He suggested some issues should be heard in other HRC Committees.

Director Mickins stated that the Gay Advisory Committee has, on many occasions, worked with other committees on issues of mutual concern.

- Ms. Jennifer Johnson, an intern from Occidental College, was introduced. She is working with Ed Vurek on Purchasing Contracts.

CALENDAR MATTERS

- The next regular meeting of the HRC will be at 10:15 A.M. in the Third Floor, Commission Room of the Main Library, on Thursday, August 12, 1982. This will be the only meeting in the month of August.

STANDING COMMITTEES

Employment	Thursday, August 5, 1982 9:30 A.M. 1850 Mission Street
Gay Advisory	Tuesday, July 20,1982 Noon, Main Library Third Floor, Commission Room
Housing & Urban Development	To be Arranged
Police Liaison/Social Issues	Tuesday, July 20,1982 (later cancelled) 3:30 P.M. Room 509, HRC Office
Youth and Education	Thursday, August 19, 1982 3:30 P.M. John Adams Community College Center 1860 Hayes Street, Room 136

No Remarks from the Audience

Respectfully submitted,

Grant S. Mickins
via Mary Gin Starkweather

GSM:MGS:bclp:vee

Adjournment

SF
H60
8/12/82

DOCUMENTS DEPT.
AUG 27 1982
SAN FRANCISCO
PUBLIC LIBRARY

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, August 12, 1982
Commission Room, Main Library

NEXT MEETING

Date: Thursday, September 2, 1982
Time: 10:15 AM
Place: NOTE: LURIE ROOM
First Floor
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners: Phyllis Lyon (presiding), Samuel Chung, Robert Edwards, Joe Jung, Corrine Lee, John C. Morrissey, Richard Sevilla, Esta Soler, Martin S. Weiner, David K. Yamakawa Jr.

Excused: Thomas Ambrogi, Antonio Grafilo, Joan Zamora Moulton, Clemente Obregon, Brenda K. Wade.

Staff: Grant S. Mickins, Jack Casford, Chris Fisher, Linell Harden, Ann McKenzie (Northwestern University summer intern), Pansy Ponzio, Jackie Winnow.

Pledge of Allegiance

Minutes of July 8,1982 approved.

COMMUNICATIONS

- From Betty Lim Guimaraes, Regional Chairperson, Asian Pacific American Advocates of California, San Francisco Bay/North Coast Area, advising of a Sacramento office in Janurary, 1982 in advocacy for Asian Pacific Americans, and soliciting memberships.

- From George Agnost, City Attorney, a copy of Opinion No. 82-37, issued July 13, 1982, on the Legality of Holding a Public Meeting on a Holiday, as requested by Margaret G. Maguire, Acting Clerk, Board of Supervisors, and prepared by Burk E. Delventhal, Deputy City Attorney, and Rose Miksovksy, Legal Intern. The Opinion is that a board or commission of the City and County of San Francisco may not hold a regular meeting on a legal holiday.

- From John L. Taylor, Clerk of the Board of Supervisors, an Inter-Office Memorandum to all department heads dated July 16,1982, informing that "the Finance Committee will not approve any request for funds in which the money has been expended prior to receiving approval from the Board of Supervisors (in violation of the City Charter), with the exception of those cases in which an emergency exists as defined in the City Charter and Administrative Code."

- From Supervisor Lee S. Dolson, informing Director Mickins that he will consider the opposition of the HRC, as stated by Mr. Mickins, to a proposed move of the offices of the HRC staff to space at San Francisco General Hospital.

Director Mickins, Chairperson Lyon, and Vice-Chairperson Obregon, attended a July 28 meeting of the Finance Committee of the Board of Supervisors at which this proposal was discussed at length.

The Committee voted to approve extension of the present office space lease at 1095 Market, but delegated the Director of Property in the City Real Estate Department to look for property in the Civic Center area where small department staffs could be housed together.

- From Mayor Feinstein a memorandum of July 19, 1982 to the heads of boards, commissions, and departments, enclosing nomination forms and other materials for selecting San Francisco managers to receive awards from the Mayor's Fiscal Advisory Committee and the San Francisco Planning and Urban Research Association (SPUR).

- From Victor C. Thuesen, attorney with Henning, Walsh & Ritchie, a formal complaint on behalf of Bill Williams and others (all employed as Skycaps at San Francisco International Airport) charging failure of American Airlines, Delta Airlines, Air California, and Allied Maintenance Corporation to comply with the Nondiscrimination ordinance of the HRC (Chapter 12B.(4)). Mr. Thuesen had made a verbal statement of these complaints at the regular HRC meeting of June 10,1982.

- Asked by Commissioner Morrissey about the HRC involvement with the Skycaps complaint, Mr. Mickins said a primary , long-standing question was whether the HRC has jurisdiction over the "prevailing wage' requirements under contracts. He said that Ed Vurek of the HRC staff has been assigned to handle this case. One Supervisor, he said, has sought twice in the last year to have this provision removed from the HRC's enabling ordinances.

- From Mayor Feinstein, a Memorandum of August 2,1982, reporting on her turning in her handgun at a public ceremony July 30 at Park Police Station, as part of the City's new handgun control ordinance which became effective July 28. Attached were copies of remarks she made at this ceremony, and those of Police Chief Cornelius Murphy and Espiscopal Bishop William Swing.

- From Donald J. Birrer, Executive Director. San Francisco Clean Water Program, attaching a statement by Roger Boas in a letter of July 15,1982, to the Board of Supervisors concerning the City's Clean Water Program.

- From Fred Roth, Catering Manager, Fairmont Hotel, to Commissioner Joe Jung, regarding a fund-raising dinner for Self-Help for the Elderly in the Grand Ballroom scheduled for Thursday September 23,1982

DIRECTOR'S REPORT

- Report on the 34th Annual Conference of the International Association of Official Human Rights Agencies (IAOHRA), July 11-17, 1982, at Halifax, Nova Scotia.

Mr. Mickins attended this conference representing the City and HRC. He had made a written report of his participation and the issues discussed to the Commissioners and used that document for his verbal description at this HRC meeting. He also provided a list of the conference presentations. Race relations, equal opportunities, internal human rights, multiculturalism, affirmative action in education, the emergence of hate groups, expansion of protected classes, enforcement of sexual harassment legislation, etc. were some of the topics covered. He responded to a number of inquiries about the international experiences in human rights administration, and said that he had observed that there were no Gay-Lesbian issues scheduled for formal discussion at the conference.

He said that there was a substantial number of Canadian human rights organizations on all levels, federal, regional, provincial.

- Much focus was on the ramifications internationally of refugee population movement some of which have involved large numbers of refugees straining the facilities of very small , poor neighboring countries.

He said that the United States has little comparability with these situations vis à vis the numbers of refugees who come to this country.

- Hate groups, such as the Ku Klux Klan and Nazi-type organizations, he said, are launching 'persistent demonstrations" in northeasters parts of the U.S.

- The conference had discussions on the effect of Reagan Administration policies on contract compliance, with persons who had been instrumental in achieving early affirmative action programs saying that more and more businesses are being exempted, with changes in minimum business volume employee workforces, from compliance.

- Impact on the HRC of Disappearance (by defunding) of Outreach Job Recruitment Groups in the City.

Mr. Hickins noted that the HRC has for many years worked closely with a number of community-based outreach organizations for minority and women job recruitment and referral. That is, in its contract compliance work with City contractors and lessees, it has relied on the outreach organizations to help provide referrals for meeting affirmative action diversified workforce requirements.

Due to the present economic situation and the significant changes in the Reagan Administration policies, these outreach sources, he said, are disappearing as their funding is suspended or drastically cut back on the federal level.

In recent months, locally, the Bayview-Hunters Point Affirmative Action Program, hhe Apprenticeship Opportunities Foundation (which the HRC,especially through its former Director, William L. Becker, was instrumental in getting founded some 20 years ago), and Women in Apprenticeship have all been forced to cease operation. This means, Mr. Hickins said, that there are greatly- reduced means by which to provide sources of job referrals of minorities and women.

Commissioner Morrissey suggested that the HRC should immediately inform the Mayor and the Board of Supervisors of these facts to see if there cannot be obtained financial support for outreach groups ethnic through City funding or contributions fromthe private business sector.

Commissioner Yamakawa noted that the HRC in years past had included on its staff a number of Community Liaison Workers specifically to recruit in specific eithnic communities (Native American, Korean, Samoan, Filipino, Black, Hispanic, Chinese, Japanese, etc.) . Then, with the development of many outreach organizations in these communities, the HRC voluntarily ceased this activity to concentrate on contract compliance.

The Commissioner stated that given Mr. Hickins' report on the disappearance of well-established outreach operations, the HRC may have to reconsider the situation in terms of resuming some outreach functions.

- Redevelopment Agency-Glad Tidings Temple Controversy.

The City Attorney (reported in the HRC Minutes of June 24, 1982) has held in a formal Opinion that the City's Anti-Discrimination Ordinance (Chapter 12B of the City Administrative Code) does not apply to the Redevelopment Agency. Mr. Paul Hardman, publisher of The Voice newspaper, had protested to the HRC that the Redevelopment Agency had leased some of its land to the Glad Tidings Temple in the Western Addition for a parking lot, saying that the Temple has space that is used by a religious group which discriminates on the basis of sexual orientation, Mr. Hardman has insisted that the HRC pursue this complaint, despite the City Attorney's Opinion cited above.

It was reported by Chairperson Lyon that Mr. Hardman and his attorneys are negotiating with the City Attorney's Office to see if the Opinion can be changed.

A meeting on the issue was held with the Mayor on August 9, at which it was suggested that the Redevelopment Agency commissioners might formally act to put it under some of the HRC's jurisdiction in the area of nondiscrimination.

Mr. Mickins stated that he has provided all of the material pertinent to the issue from the HRC to Hadley Roff, Deputy Mayor, who has been designated to pursue the matter.

STANDING COMMITTEES

POLICE LIAISON/SOCIAL ISSUES
Joan Zamora Moulton/Richard Sevilla, Co-Chairpersons.

- Update Report--Cuban-Haitian Refugees' Welfare Status-Jack Casford.

Commissioner Yamakawa at the HRC meeting of June 24 had requested an update on the status of some 281 Cuban and Haitian refugees whose welfare benefits were to have been cut off April 1 of this year.

Mr. Casford had made a report to the HRC on this situation on March 25.

The background of the issue is that on March 12 of this year, the U.S. Department of Health, Education & Welfare notified the City Department of Social Services that eligibility for benefits for refugees, including specifically some 281 Cubans and Haitians in San Francisco, under the Refugee Resettlement Program would end April 1, thus cutting what had been a 36-month aid program to 18 months.

This quickly became a local "crisis" issue, since the refugees disaffected did not have residency status in this country, and thus were at first not considered eligble for GeneralAssistance from local (DSS) funds. The HRC was asked to look into the matter.

The issue was taken up by the Police Liaison/Social Issues Committee of the HRC and the verbal report referred to above (March 25) was made. The issue went to U.S. District Court in an attempt to block the federal cutoff. The HRC voted April 15 to send a letter to the Mayor urging that she use the authority of her office to assure continuation of GA and other benefits for the Cuban and Haitian refugees. The Board of Supervisors had also passed a resolution of similar intent on March 15.

The refugees filed for Fair Hearings, a kind of appeal of the cutoff by DSS, and were put on General Assistance pending rulings on their appeals.

The U.S. Court of Appeals upheld U.S. District Court Judge Stanley Weigel's order, which extended the refugee benefits through April. The HRC wrote the Mayor May 20, thanking her and members of her staff for their work on behalf of the refugees.

On August 6, Jack Casford contacted Judy Shutzman, Executive Assistant in the Office of Ed Sarsfield, General Manager of the Department of Social Services. She told him that as of July 30,1982, 201 Cuban or Haitian refugees were receiving General Assistance benefits. The remainder of the original 281 were either not eligible under DSS rules for General Assistance, or they had dropped out of the program for unknown reasons, left the City, or perhaps obtained employment. According to Ms. Shutzman, there have been no further actions by lawyers or community activists on this issue.

GAY ADVISORY
Richard Sevilla/David K. Yamakawa Jr.- Co-Chairpersons

- Recommended Endorsement of the Concept of Domestic Partnerships as a Criterion for Benefits for City Employees.- Commissioner Sevilla.

Commissioners had been provided with copies of two draft ordinances now being considered by the Civil Service and General Administration Committee of the Board of Supervisors. Matthew Coles, an attorney, and Dana Van Gorder, aide to Supervisor Harry Britt, had appeared at a July 20 meeting of the Gay Advisory Committee to discuss these proposed measures. One proposed ordinance would extend coverage of health plans to domestic partners of City employees (domestic partner being defined as either: an employee's spouse, by marriage; or, a individual who: 1) resides with the employee, 2) shares the common necessaries of life with the employee, and 3) is declared by the employee to be his or her sole domestic partner). The second proposed ordinance would create a record of domestic partnerships (an affidavit filed with the County Clerk).

This requested endorsement, which had originally been listed on the HRC agenda as seeking endorsement of the ordinances proposed, led to prolonged discussion by members of the HRC.

Commissioner Sevilla stated that it was the purpose of these proposed ordinances to extend to persons who live in quasi-familial relationships in the City, in what he called "long-bonding" relationships, the same rights to health and other benefits that presently are held only by persons who have legally-recognized marital relationships. The GAC, he said, had suggested in its July 20 discussions that children be included in the domestic partnership definitions.

Commissioner Yamakawa stated that it should be understood that what was being sought was the HRC endorsement of the concept of the domestic partnership benefits rights, not the two draft ordinances.

Among the points of concern voiced by various Commissioners were:

1. Would the proposed ordinances undercut the present state laws that disallow common-law marriages?

2. What effect would these proposed ordinances have on insurance rates?

It was on this latter point that much of the discussion centered.

Commissioner Weiner expressed his strong feelings that such legislation as proposed could lead to abuses and subsequent bad effects on health insurance costs for all eligible persons. He stated that it would be possible for persons to declare domestic partnerships with one or more persons solely for the purpose of qualifying them for health and other benefits, and that his could have the ultimate effect of "throwing off" the actuarial status of City coverage, hurting the people currently covered.

Commissioner Soler said that the HRC, recognizing that in San Francisco there is a broad variety of people living a broad variety of lifestyles, should do all it can to see that benefits cut across all lifestyles in order to provide more equitalbe eligibility for benefits, rather than settling for the legal marriage status as the only acceptable one.

Commissioner Sevilla said that the proposed ordinances were an opportunity for the City government to do what in time should be done by private industry in recognizing other than conventional marriage relationships.

As the discussion continued on the proposed ordinances and their possible consequences, Commissioner Soler said that the Board of Supervisors would, after Committee discussion, no doubt be considering all of the cited concerns, including the one of the effect on insurance rates, but she urged that the HRC endorse the concept of the domestic partnership definitions and eligibility.

Commissioner Yamakawa stated that the insurance industry would be looking with great attention on this issue, and that in any case it had not yet addressed what he considered a major factor, that of retirement benefits.

With an amendment offered by Commissioner Weiner: (amendment is underlined), it was then,

******m/s/c that the HRC endorse the concept of domestic partnerships as a criterion for benefits for City employees, <u>providing that the cost of such benefits be a viable option for the City</u>.

Commissioner Soler asked that a roll-call vote, by name, be taken on each of the above actions.

<u>On the amendment</u> as offered by Commissioner Weiner:

Ayes: Commissioners Chung, Jung, Lee, Morrissey, Weiner---5

Nayes: Commissioners Lyon, Sevilla, Soler, Yamakawa---4

Amendment passed, 5 to 4.

<u>On the amended endorsement</u>:

Ayes: Commissioners Chung, Jung, Lee, Lyon, Morrissey, Sevilla, Soler, Weiner, Yamakawa.

Endorsement passed, unanimously, 9 to 0.

Commissioner Edwards had been excused from the meeting earlier and did not participate in either of these votes.

- <u>Recommended Statement of Commendation for Pat Norman, Resigning from the Gay Advisory Committee.</u>

A copy of this formal Commendation to Ms. Norman was provided in the meeting packets.

It was then,

******m/s/c that the HRC adopt the Statement of Commendation. A copy is attached to these Minutes.

- <u>Recommended Approval of Letter to San Francisco Summer Festival.</u>

The agenda item was cancelled.

NEW MATTERS

- <u>Collingwood Street Park Concerns.</u>

Commissioner Sevilla said that he wished both the Gay Advisory Committee and the Police Liaison/Social Issues Committee to consider this issue, which involves: charges of Police brutality, charges of discrimination against Gays, and charges of selective enforcement of a City curfew applicable to public parks.

The area is the Eureka Valley Recreation Center on Collingwood Street near Eighteenth Street.

Commissioner Sevilla said that there have been a number of community meetings, including meetings with the Mayor, Supervisors, the Department of Recreation and Parks,and the Police Commission, regarding an escalating number of arrests of Gays in the past six months for alleged violations of a park curfew which forbids anyone being in a park between 10 PM and 6 AM. He said there were charges of verbal and physical abuse of those arrested (some of the latter being documented, he said), and of selective enforcement of a law which should apply to all parks in the City.

The arrests, he said, are carried out by officers from the Mission Station. He said the community hoped to generate dialogue through the HRC, the Intergroup Clearinghouse, Supervisor Harry Britt's office and others in order to address the charges as outlined.

The Commissioner said that there had been complaints by neighbors in the area about noise, about large numbers of persons in the area late at night, about alleged illicit sexual activities there, and about an increase in the neighborhood crime rate.

- The Gay Advisory and Police Liaison/Social Issues Committees will consider this matter at their next respective meetings.

- KQED Documentary Film.

The GAC was filmed as part of the preparation by KQED-Channel 9, and reporter Spencer Michaels on Gay politics in San Francisco.

- Commissioner Wade's New Baby!

The members adjourned in calling for congratulations to be transmitted to Commissioner Brenda Wade and her husband, William Hazelwood. A daughter, Kena Joy Hazelwood, was born to them July 15, 1982.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, September 2, 1982 at 10:15 AM in the First Floor Lurie Room of the Main Library in the Civic Center. NOTE: Not the Third Floor, Commission Room, but the First Floor Lurie Room. Also, this is the first, not the second Thursday in September. The second Thursday is September 9, California's Admission Day, a legal holiday in the City and state.

The second HRC meeting in September will be Thursday, September 16, in the Lurie Room also.

STANDING COMMITTEES

Employment	Wednesday, September 1, 1982 9:30 AM 1650 Mission Street
Gay Advisory	Tuesday, August 17, 1982 Noon, Main Library Third Floor, Commission Room
Housing & Urban Developmnt.	To be announced.
Police Liaison/ Social Issues	Tuesday, August 24, 1982 3:30 PM Room 509, HRC Offices
Youth and Education	Thursday, August 19,1982 3:30 PM John Adams College Center 1860 Hayes Street, Room 136

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:cdp

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

Statement of Commendation

to

Pat Norman

On the occasion of her departure as a charter member of the Gay Advisory Committee,

The Human Rights Commission take particular note of her resignation, not only because she was with the Gay Advisory Committee since its inception in 1975, but most especially because of her active, unique, sensitive, and spirited presence and work on the Committee

Pat Norman's dedication to Lesbian and Gay liberation stands without question and is an example to all those working toward human rights.

JW:pa
August 13, 1982

) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

SF
H8O
#2

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, September 2, 1982
Lurie Room, Main Library

NEXT MEETING

*Date:	Thursday, September 16, 1982 *
*Time:	10:15 AM *
*Place:	NOTE: LURIE ROOM *
*	First Floor , Main Library *
*	Civic Center *

DOCUMENTS DEPT
SEP 15 1982
SAN FRANCISCO
PUBLIC LIBRARY

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

BEFORE THE REGULAR MEETING, THE HRC MET IN EXECUTIVE SESSION from 10:15 AM to 11:45 AM TO DISCUSS POSSIBLE PENDING LITIGATION. See New Matters Section of these Minutes.

Attendance

Commissioners: Phyllis Lyon (presiding), Thomas Ambrogi, Samuel Chung, Robert Edwards, Antonio Grafilo, Joe Jung, John C. Morrissey, Joan Zamora Moulton, Clemente Obregón , Richard Sevilla, Esta Soler, David K. Yamakawa Jr.

Excused: Corrine Lee, Brenda Wade, Martin S. Weiner.

Staff

Present: Grant S. Mickins, Jack Casford, Stanley Lim, Richard Norton, Pansy Ponzio, Gail Roberts, Essie Thomas, Ed Vurek, Jackie Winnow.

Pledge of Allegiance

Minutes of August 12, 1982 approved. With an addition to Page 2, under Director's Report, Report on the International Association of Official Human Rights Agencies (IAOHRA) July 11-17 Conference at Halifax, Nova Scotia by Director Mickins, it was

*****M/(by Commissioner Sevilla), s/c that the HRC write to the IAOHRA, stating that it wished to have input in preparation of the next annual conference for Gay/Lesbian issues to be discussed.

COMMUNICATIONS

(at Commissioner Ambrogi's suggestion, in the interest of time, discussion of these Communications, as is customary, was deferred for this one meeting.)

- From Cynthia Irwin, Director Speakers Bureau, Oakland Office, Citizens Against the Gun Initiative, a form letter to Chairperson Lyon, addressed to her at the San Francisco Commission on the Status of Women, offering the Speakers Bureau and informational material on the Gun Initiative on the State ballot for November, 1982, Proposition 15.

- From Governing Body of the West Bay Health Systems Agency, a copy of a Memorandum of August 3, 1982 to the members of the WBDSA, announcing that the Governing Body has voted (July 1) to terminate its federal designation agreement effective October 31, 1982 due to fiscal restraints. All program activities ceased July 31, 1982.

- From Mayor Dianne Feinstein, a Memorandum of August 10, 1982 encouraging all City Department Heads, Boards and Commissions to "initiate an internal review of progress in the Management-by-Objectives program."

- From James D. Jefferson, President, San Francisco Black Chamber of Commerce, a Memorandum on Proposed Minority Business Procurement Legislation to be introduced to the Board of Supervisors. The legislation would become a supplement to Chapter 12 of the San Francisco Administrative Code.

- From Kenneth Kinnard, President, P & K Trucking Company, to Stanley Lim, HRC Contract Compliance Coordinator, a copy of a letter of protest to Arvie & Son Associates about alleged deductions of payments.

- From Rodney Williams, President, Officers for Justice, a copy of a letter to Chief of Police Cornelius Murphy, protesting assignment of a Recruit Officer.

- From Melvin D. Honowitz, of Coffman, Honowitz & Sautter, Attorneys at Law, advising that his clients, Double-O Trucking Company, Inc., formally request an appeal hearing in the case of Jenkins Trucking v. Double-O, on a decision of April 12, 1982.

- From Claude M. Harman, Jr., President, War Memorial Board of Trustees, an invitation to attend ceremonies September 7 at Noon to celebrate the completion of the San Francisco Memorial and Performing Arts Center, 50th Anniversary Rededication.

- From Jana Murray, Program Specialist, Mayor's Office, a copy of a Memorandum of August 25, 1982 to all Department Heads announcing the Combined Health Agencies Drive, to begin with a luncheon September 23 for designated department campaign workers.

- From Mayor Feinstein, informing (August 25,1982) that the HRC request for funding for its Fair Housing program under the 1983 Community Development Program has been recommended in the amount of $64,280 for a twelve-month period. This is less than the HRC's current Community Development Block Grant budget. Public hearings will be September 21 and 23.

- From Michael Raskin, President, Topps & Trowsers, regarding the alleged refusal of a Union Square hotel, the Chancellor, to book rooms for a company district manager's meeting in October when a minority member of the Topps & Trowsers staff inquired, but, two days later, when a White member of the staff made the same inquiry, to readily agree to such a booking.

- From Alice M. Henderson, Vice-President, Program Practices, CBS/Broadcast Group, to Chairperson Lyon, in response to the HRC letter of June 24, 1982 to Richard Rosenbloom, producer of a television program, "Cagney & Lacey." The HRC, over Chairperson Lyon's signature, wrote June 24 to Mr. Rosenbloom objecting to statements attributed to him in an article, "CBS Alters 'Cagney" Calling It Too Women 's Lib'", which appeared in the June 12-18, 1982 edition of the TV Guide (Vol. 30, No. 24). The letter requested copies of CBS research, referred to by the article . Ms. Henderson said CBS declines to provide such material and "Further, we question the constitutional propriety of your request."

- From Margaret Kisliuk, Office of the Mayor, a copy of the Mayor's review of the HRC's Management-by-Objectives performance for Fiscal Year 1981-81, of which she said, "The Human Rights Commission's successful use of the MBO program is exemplary."

- From Pat Jackson, Executive Secretary, Service Employees International Union, AFL-CIO, Local 400, Civil Service Association, a request that the HRC endorse Proposition F for the November ballot "to '... both protect the merit system and equitably resolve the problems of non-permanent employees.'

DIRECTOR's REPORT

- Grand Jury Presentation

Director Hickins indicated he had no report except the matter regarding the Criminal Grand Jury discussed in Executive Session

NO REPORT FROM THE CHAIRPERSON

STANDING COMMITTEES
Employment
Antonio Grafilo/Esta Soler, Co-Chairpersons

- Progress Report on the Minority Business Enterprise/Women Business Enterprise Set-Aside Subcommittee- Ed Vurek

Eva Paterson and Felix Velarde-Muñoz, (members of the Employment Committee) with Mr. Vurek of the HRC staff, have been researching the legal possibilities of establishing an MBE-WBE "set-aside" or preference program for the City's Purchasing Department, concentrating on a landmark case, Fullilove (a minority contractor), v. Klutzwick, (Secretary of Commerce), in which the U.S. Supreme Court ruled July 2, 1980 that MBE/WBE set-aside definitely can be established at the state and federal levels. The Fullilove decision seems to indicate, Mr. Vurek, said, that municipal MBE/WBE programs are constitutional, provided the need for them is substantiated.

At the most recent Employment Committee meeting of September 1, the Subcommittee reported that its research had broadened considerably into many cases similar to Fullilove v. Klutzwick (the computer printout Mr. Munoz's staff had compiled is twenty-five long.).

Now being explored are such means of establishing an MBE/WBE set-aside program as not are City Charter amendments, modification of Purchasing Department Rules and Regulations, and expansion of such definitions as "lowest responsible' bidder. The latter is now narrowly defined by the Purchasing Department.

The Subcommittee will report in the near future to the full Employment Committee on its recommendations for a comprehensive MBE/WBE set-aside program for the City and County.

GAY ADVISORY COMMITTEE
Richard Sevilla/ David K. Yamakawa Jr.- Co-Chairpersons

- Clarification of Actions by the HRC at its Regular Meeting August 12, 1982:

1. Recommended Endorsement of the Concept of a Record of Domestic Partnership; and

2. Recommended Endorsement of the Concept of Visitation in Hospitals and Jails and Other Provisions of Certain Benefits of Domestic Partnerships.

Director Hickins noted that the HRC had voted August 12, 1982, to "endorse the concept of domestic partnerships as a criterion for Health and related benefits for City employees, providing that the cost of such benefits be a viable option for the City."

This action followed detailed discussion by the HRC at its August 12 meeting on the health benefits aspect of the subject of domestic partnerships. Mr. Hickins said that he believed that the HRC had only endorsed an ordinance to extend coverage of health plans to domestic partners of City employees on August 12, and that he had re-scheduled today's discussion in order to clarify the HRC's position on the other aspects, namely the proposed Ordinance Describing Certain Benefits (Hospital Visitation, Jail Visitation, Sick Leave and Bereavement Leave. and Housing Eligibility), and the proposed Ordinance to Create a Record of Domestic Partnerships. The latter measure would provide that an affivdavit of domestic partnership could be filed with the County Clerk.

Director Hickins said he had discussed the clarification action with Eileen Gillis of the Gay Advisory Committee staff and had concluded the two additional aspects of the domestic partnerships proposals should have been acted on separately by the HRC.

After some discussion it was

*****m/s/c that the HRC endorse the concept of domestic partnerships as embodied in the proposed Ordinances: 1. Describing Certain Benefits of Domestic Partnership, and 2. To Create a Record of Domestic Partnerships.

- GAC Report-Commissioner Sevilla.

1. Paul Hardman, publisher of The Voice newspaper, attended the GAC meeting of August 17 and presented his position that the HRC was obligated to require the Redevelopment Agency to comply with the Nondiscrimination Ordinance (Chapter 12B of the City Administrative Code). Mr. Hardman's position had been discussed at two previous HRC meetings in connection with his protests that the Redevelopment Agency had leased some of its land to the Glad Tidings Temple in the Western Addition for a parking lot, and charging that the temple has space that is used by a religious group (Save Our Souls, SOS) which discriminates on the basic of sexual orientation.

An Opinion has been returned to the HRC by the City Attorney's Office stating that Chapter 12B does not apply to the Redevelopment Agency. Mr. Hardman has stated that he wishes possibly to bring legal action to require the HRC to handle his complaint against the Redevelopment Agency action, nonetheless.

Commissioner Sevilla said the GAC took no action on Mr. Hardman's August 12 presentation, nor (was there discussion about it.).

- The GAC has asked Director Mickins to discuss the staff position on this issue at its next regular meeting September 21, 1982 at Noon in the Commission Room of the Main Library.

- GAC Membership Interviews.

The Committee is interviewing twelve persons who have submitted applications and resumes for active membership. Five positions are to be filled.

Commissioner Morrissey asked what criteria are used for member-candidates, and was told, by Commissioner Sevilla, that they included evidence of community activiity, of participation with a community agency or group, of a time committment, and the formal letter of application and resume. He said being Gay or Lesbian was not a criterion used, in response to a question from Commissioner Edwards.

POLICE LIAISON/SOCIAL ISSUES
Joan Zamora Moulton/ Richard Sevilla, Co-Chairpersons

- Committee Report - Commissioner Moulton

1. Committee Issues. The Commissioner said that she felt that issues the PL/SI Committee should be dealing with are, in her opinion, "going to other Committees of the HRC, namely the Intergroup Clearinghouse."

Asked by Commissioner Grafilo to be specific, Commissioner Moulton said she had in mind race relations, which she feels "belong to the PL/SI Committee." She said in the community the Intergroup Clearinghouse is seen as a committee of the HRC.

Chairperson Lyon said she saw no reason why the PL/SI Committee could not take up any issue it wished, regardless of what the Clearinghouse does.

Comissioner Morrissey said he would point out that only the PL/SI Committee can make recommendations for action to the full HRC.

- Commissioner Ambrogi requested that the agenda as written be followed and that this administrative concern be taken up at the end of that agenda .

- Commissioner Yamakawa suggested that the question of how issues are referred to Standing Committees of the HRC be a subject of discussion at the next Administrative Committee meeting.

Commissioner Sevilla asked that the discussion include the point of the relationship of the HRC and its Standing Committees to the Intergroup Clearinghouse. He pointed out that the PL/SI Committee would be meeting September 13 to draft a priorities recommendation for presentation at its regular meeting September 14 at 3:30 PM at the HRC Offices.

2. Commander Trueb to Head Police Internal Affairs Bureau.

Commander Trueb, who is a regular member of the PL/SI Committee, has been named to head the Police Internal Affairs Division and the Legal Division under the Internal Operations Bureau.

Commissioner Moulton said she would like Commander Trueb to be invited to make a formal presentation at some future date on what plans he has for his new administration. The Commander already has told the PL/SI Committee that Chief Cornelius Murphy has asked him , or his alternates, to continues as regular members of the Committee.

- Letter in Response to District Director David Ilchert, U.S. Innigration and Naturalization Service, San Francisco.

Mr. Ilchert had written June 25 to the HRC, responding to its formal action earlier protesting 'Project Jobs", a roundup in April conducted by the INS apprehending undocumented workers at their jobs and homes. The protest had been contined in an HRC Resolution Deploring Official Actions Against Undocumented Workers and Registered Voters, adopted May 27. The Ilchert letter stated that he "hope(d) you will change your current posture and support the Simpson-Mazzoli Bill now pending..."

Commissioners Yamakawa and Sevilla had commented on the Ilchert letter at the HRC's July 8 meeting, and it was referred back to the PL/SI Committee to prepare a response, stating that the HRC's opposition to Simpson-Mazzoli(a major revision of U.S. immigration and naturalization laws)' was unchanged.

The PL/SI letter was sent to Mr. Ilchert Agust 27, 1982, and ended, "We... ...appreciate your writingus your views in such detail. While our position on this issue is quite unchanged, we most certainly wish the dialogue to continue for the many issues of mutual concern."

- Collingwood Park Issue.

Commissioner Sevilla had initiated a long discussion August 23 at the Committee, following mention by him at the HRC meeting August 12, of Gay community concerns over arrests and arrest procedures at a park on Collingwood Street (the Eureka Valley Recreation Center on Collingwood Street near Eighteenth Street).

The Commissioner stated that meetings already had been held with the Mayor, Supervisor Britt's Office, the Intergroup Clearinghouse and others regarding charges of:

-selective enforcement (only in this area) of a City park curfew law forbidding persons from being in public parks between 10PM and 6AM.

-Police brutality, allegedly in making arrests at the site (Mission Station is the closest Police station.)

-Discrimination against Gays.

Mr. Sevilla said some of the brutality charges have been documented, and that there had been complaints from neighborhood residents about noise, about large numbers of persons in the area late at night, about alleged illicit sexual activities there, and a purported increase in the crime rate inthe area. These statements were made by the Commissioner also at the HRC's August 12 regular meeting.

Since the Committee's August 23 discussion, Mr. Sevilla said, a sign at the area stating the curfew law (that the park is closed to the public from 10 PM to 6 AM) has or is going to be removed by the Recreation and Parks Department.

But the Commissioner said that he wanted to be on record as stating that in his opinion the issue of alleged brutality, and verbal and physical harassment, by Police officers against persons arrested at the site has not yet been dealt with. He noted that Commander Trueb at the PL/SI Committee's August 23 meeting had asked that this issue be separted from the selective enforcement(cf the curfew) issue.

*****Commissioner Soler asked that the Gay Advisory Committee and the Police Liaison/Social Issues Committee draft separate letters encompassing Commissioner Sevilla's concerns.

- Graffiti Problems-Jack Casford.

Commissioner Moulton has brough her concenrs about graffiti in the Mission District to the Committee . Mr. Casford has obtained material from George White of the Office of the Mayor, who staffs the Mayor's Graffiti Removal Demonstration Task Force, which has been meeting since October of 1981 and has an anti-graffiti program Citywide that includes removal of graffiti, use of Sheriff Department and Probation Department probationers and prisoners to remove graffiti from buildings, Police Department enforcement of current anti-graffiti laws, etc.

- Mission Neighborhood Health Center Closure-Jack Casford

The U.S. Department of Health and Human Services had told the MNHC in late July that it would have two months to close down its federally-funded operation, which serves some 30,000 clients, mostly low-income, and mostly minority with health and social services. It was proposed that they be shifted to San Francisco General Hospital.

The Committee sent a letter urging at least an extension of federal support to Secretary Richard S. Schweiker.

- Director Hickins and Commissioner Moulton reported at this meeting that the Center, after intense negotiations in Washington, had obtained at least a six-month extension of federal support, with hopes for a pledge for permanent continuation.

- Commissioner Yamakawa reiterated a point he had made at a previous HRC meeting, that there needs be some strategy by the HRC on what response it can make to the disappearance because of the ending of federal funding. (job-training, job-referral, social services, etc.) of a number of agencies with which it works

******It was agreed that this would be also on the agenda for the next meeting of the Administrative Committee.

Director Hickins said he had been informed that Women in Apprenticeship had been able to find funding for one year. Commissioner Morrissey asked that the HRC staff prepare for the Mayor's Office data on how much of the HRC's work is dependent on or tangent to the operation of these social service agencies.

NEW MATTERS

*****It was m/s/c that the HRC write a letter to the appropriate committee of the State Bar Association and to the California Attorney General's Office informing

them of the results of their discussion in the Executive Session and subsequent action during the regular meeting.

******It was m/s/c that Commissioner Soler abstain at her request, be permitted to abstain from voting yes or no (because of a conflict of interest on the above motion.

- Commissioner Ambrogi announced that Commissioners Soler and Wade had appeared on a program called "Mosaic" recently to discuss the subject,"Battered Women." Commissioner Ambrogi is host for this program, which is seen at 7 AM each Sunday on Television Channels.

CALENDAR MATTERS

Employment	Wednesday, October 6, 1982 9:30 AM 1850 Mission Street
Gay Advisory	Tuesday, September 21, 1982 Noon, Main Library Third Floor, Commission Room
Housing & Urban Development	To be announced.
Police Liaison/ Social Issues	Tuesday, September 14, 1982 3:30 PM Room 509, HRC Offices
Youth and Education	Thursday, September 23, 1982 3:30 PM John Adams Community College Center 1860 Hayes Street, Room 136

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:bclp

SF
H80
#2
10/82
C2

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, September 16, 1982
Lurie Room, Main Library

DOCUMENTS DEPT.
OCT 6 1982
SAN FRANCISCO
PUBLIC LIBRARY

NEXT MEETING

****
* Date: Thursday, October 14, 1982 *
* Time 10:15 AM *
* Place: Commission Room, Third Floor *
* Main Library, Civic Center *
****

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners: Phyllis Lyon, (presiding), Thomas Ambrogi, Robert Edwards, Joe Jung, Corrine Lee, John C. Morrissey, Joan Zamora Moulton, Clemente Obregón, Richard Sevilla, Martin S. Weiner.

Excused: Samuel Chung, Antonio Grafilo, Esta Soler, Brenda Wade, David K. Yamakawa Jr.

Staff

Present: Grant Mickins, Frank Anderson, Jack Casford, Juan Cruz, Don Hesse, Richard Morton, Mary Gin Starkweather, Pansy Ponzio-Waller Gail Roberts, Ed Vurek, Jackie Winnow.

Pledge of Allegiance

Minutes of September 2, 1982 approved.

COMMUNICATIONS

- From Committee to Honor Joseph Meza, announcing dinner to honor Joesph Meza, former charter member of the HRC and Deputy Director, who retired recently. The dinner will be held Thursday, September 23 beginning at 6 PM at the Presidio Officers Club. Jack Casford of the HRC staff has been a member of the planning group for this dinner.

- From Jana Murray, Program Specialist, Mayor's Office announcing that the Combined Health Agencies Drive (CHAD) will begin with a campaign kick-off luncheon September 23 at the Holiday Inn, 1550 Van Ness Avenue.

- From Pat Jackson, Executive Secretary, Service Employees International Union, Local 400 (Civil Service employees' union), formally requesting HRC endorsement of Proposition F pertaining to temporary City employees on the November, 1982 ballot. See under Employment Committee below for Frank Anderson's statement on this endorsement request.

COMMUNICATIONS from September 2, 1982 HRC regular meeting which were not discussed at that time. Members of the HRC at this meeting asked for information on a number of these Communications.

- From James D. Jefferson, President, San Francisco Black Chamber of Commerce, a Memorandum on Proposed Minority Business Procurement Legislation to be introduced to the Board of Supervisors. The legislation would become a supplement to Chapters 12A and 12B of the San Francisco Administrative Code.

Director Mickins reported, at the request of Chairperson Lyon, that this was a 15-page document sent to many sources, including the HRC, and that Ed Vurek of the HRC had been asked to review the contents. He said this has been made a part of the HRC's Employment Committee Set-Aside Subcommittee review process, and would be included in any future meeting with the City Purchasing Department and the Chief Administrative Officer of the City to work out proposed legislation on procurement for minority businesses to be introduced at the Board of Supervisors.

- From Rodney Williams, President, Officers for Justice, a copy of a letter to Chief of Police Cornelius Murphy, protesting assignment of a woman Recruit Officer.

Director Mickins read portions of this letter verbatim. He said he refers copies of such correspondence regarding internal Police Department policy to representatives of the Chief's office who are his designated representatives on the Police Liaison/Social Issues Committee.

*****Chairperson Lyon and Commissioners Moulton and Edwards asked that there be followup on the disposition of the concern Mr. Williams wrote about.

Commissioner Moulton said that Mr. Williams had expressed the desire to become active again on the Police Liaison/Social Issues Committee. It was suggested that he designate a member of Officers for Justice to be his representatives.

- From Kenneth Kinnard, President, P & K Trucking Company, to Stanley Lim, HRC Contract Compliance Coordinator, a copy of a letter of protest to Arvie & Sons Associates about alleged deductions of payments.

Director Mickins reviewed what he said is a complicated and long-standing issue, on which the HRC has been a conciliator and mediator for some six months, and on which it is still working, in cooperation with the Public Works Department and the City Attorney's Office. He read Mr. Kinnard's letter (the HRC was one of a group of agencies that received copies of the original letter). The issue centers on a committment by a prime contractor to a minority-owned trucking sub-contractor and a dispute over the cost amount for a trucking assignment.

- From Melvin D. Honowitz, of Coffman, Honowitz, & Sautter, Attorneys at Law, advising that his clients, Double-O Trucking Company, Inc., formally request an appeal hearing in the case of Jenkins Trucking vs. Double -O, on a decision of April 12, 1982.

Director Mickins summarized the contents of this letter, which stems from a Director's Finding he issued August 12, 1982 that the firm was not a bona fide minority-owned firm under HRC guidelines.

- From Mayor Feinstein, informing (August 25, 1982) that the HRC request for funding for its Fair Housing program under the 1983 Community Development Program has been recommended in the amount of $64,280 for a twelve-month period. This is less than the HRC's current Community Development Block Grant budget. Public hearings will be September 21 and 23.

Director Mickins said $64,280 is approximately 85% of the amount in the previous calendar year for the HRC's program, reflecting a $4 million cut in federal support for this program (OCD). He said this cut could affect staffing in the HRC Fair Housing program.

- From Michael Raskin, President, Topps & Trowsers, regarding the alleged refusal of a Union Square hotel, to book rooms for a company district manager's meeting in October when a minority (Black) member of the Topps & Trowsers staff inquired, but, two days later, when a White member of the staff made the same inquiry, agreed readily to such a booking.

Director Mickins said this letter had been referred to the HRC Fair Housing staff who took immediate action and are working with the California Fair Employment and Housing Commission.

DIRECTOR'S REPORT

- Discussion of HRC's Action of September 2, 1982.

The HRC had voted September 2, 1982 to send a formal letter of Complaint-Abuse of Process of Criminal Grand Jury to the State Bar of California's Trial Counsel's Department and to the Office of the State Attorney General. The complaint is against the San Francisco District Attorney who some three months ago issued subpoenas for records and to staff members of the HRC. The HRC's Letter of Complaint states, "The Human Rights Commission believes and alleges that the District Attorney is currently attempting...to countermind determinations heretofore made by the HRC in the proper performance of its mandated duty." The latter, it states, is "... the determination of which ethnic minority or group meets the criteria of a bona fide minority-owned business eligible to participate in the Contracts of the City and County of San Francisco..."

Mr. Mickins announced that the HRC has received a September 13, 1982 letter from Alice G. Sprague, Assistant Chief Trial Counsel of The State Bar of California, Division of Trial Counsel, announcing that the complaint will be handled by Staff Attorney Carole A. Hughes. Commissioners were given copies of the Complaint Forms required by the State Bar.

At the request of Commissioner Weiner, Mr. Mickins summarized briefly the events that gave rise to the subpoenas, an extension of the District Attorney's investigation of charges involving certain contractors to the Redevelopment Agency some months ago, a matter totally unrelated to the HRC. The District Attorney's subpoenas (requiring the HRC appearance before the Criminal Grand Jury) involved contract complaince work done by the HRC on the Clean Water Program and the Moscone Convention Center.

Director Mickins announced also at this meeting that a phone call had been received from the Office ofthe State Attorney General, acknowledging the HRC's Letter of Complaint, and asking for an appointment Monday, September 20 at 2 PM to discuss this matter. He said that the Attorney General's representative stated that it is their position that they have jurisdiction over all agencies of the State, counties, and subdivisions with reference to the manner in which the laws are being enforced.

CHAIRPERSON'S REPORT

- District Attorney Arlo Smith telphoned Chairperson Lyon September 15 and said he was drafting a letter of response to the HRC's letter of Complaint of September 3, 1982, and requesting time at the HRC's next (October 14) regular meeting to discuss the issue.

OLD MATTERS

- City Attorney's Opinion on Definition of Hispanic for Purposes of Affirmative Action.

Commissioner Moulton asked the status of this issue, which occupied Employment Committee and HRC discussion beginning in January, 1982 through June, at which time the Opinion of the City Attorney was requested.

Director Mickins said that Deputy City Attorney Stephanie Chang of the City Attorney's Office had informed him that Deputy City Attorney Michael C. Kellelea currently is reviewing her draft Opinion on this matter.

- Associated General Contractors of California and HRC Affirmative Action Goals and Timetables Issue.

On September 15, Director Mickins and Stanley Lim met with Assistant City Attorneys Burk Delventhal and Phyllis Walker and the Executive Secretary and an attorney for the Associated General Contractors (AGC) of California. The discussion was on a Finding of Contempt issued August 17, 1982, by U.S. District Court Judge Stanley A. Weigel against the San Francisco Unified School District for failure to comply with a Permanent Injunction issued July 20, 1977, also by Judge Weigel "...from requiring that any bidder (for SFUSD construction contracts) must employ nonwhite-owned businesses for at least twenty-five percent of the... bid... and from delineating requirements for bidding which are in conflict with the provisions of section 39640 of the California Education Code."

The AGC, Mr. Mickins said, claimed that the latest action by Judge Weigel strengthens its contention that minority goals and timetables are illegal, and that it invalidates the City's program (e.g. the HRC MBE/WBE Affirmative Action Program for Construction).

Commissioner Lee, Assistant Legal Advisor to the SFUSD, gave a background description of the pertinent points in the 1977 and 1982 Judge Weigel rulings.

Director Mickins said that he and Mr. Lim advised the AGC representatives that they saw no applicablity of the Weigel rulings to the HRC's program. He said he was told by the AGC attorney that the HRC goals were too high, a statement retracted when it was pointed out the goals imposed by the State were higher than those originally suggested by the HRC.

The City Attorney representatives stated that if the AGC wished to write a formal letter challenging the HRC goals and timetables, there could be a full official hearing by the HRC on the matter.

* The HRC has been asked to state its position in writing to the City Attorney's Office for review and transmittal to the AGC.

- Award to Family Violence Project.

The San Francisco Foundation's John May Award has been given to the Family Violence Project of the District Attorney's Office, and a party to honor the event will be held Tuesday, October 5, from 5 to 7 PM, in the Green Room of the Veteran's Building in the Civic Center, Van Ness Avenue and McAllister. All Commissioners and staff are invited.

Commissioner Esta Soler is Director of the Family Violence Project.

AGENDA

STANDING COMMITTEES

EMPLOYMENT
Antonio Grafilo/Esta Soler, Co-Chairpersons

- Request for Endorsement of Proposition F-Local 400-Frank Anderson.

Mr. Anderson reported that the endorsement recommendation had been voted by the HRC Employment Committee by a narrow vote of 7 to 5 after considerable debate. He since has learned that on September 15 a committee of the Board of Supervisors voted unanimously to recommend on September 18 that the proposed Proposition be withdrawn from the November ballot. Mr. Anderson said that the Board committee had been informed that the Proposition if passed might be a violation of the state merit system, and that the City Attorney had held that

it might be a violation of the Officer of Revenue Sharing agreement with the City.

*****it was then agreed unanimously that the request endorsement of Proposition F be removed from the HRC agenda for this meeting.

- Contract Compliance Report 1981-1982-Commission on Aging Contracts-Mary Gin Starkweather.

With apologies to Ms. Starkweather, it was decided to postpone this report to a later HRC meeting.

GAY ADVISORY COMMITTEE
Richard Sevilla/David K. Yamakawa Jr-Co-Chairpersons

- Requested Approval of Letter to Mayor Feinstein Regarding Collingwood Park, Police Brutality Charges, and the 1981 Lesbian /Gay Freedom Day Parade Complaints to Police Internal Affairs Bureau.

A draft copy of this proposed letter was distributed to all Commissioners. Commissioner Sevilla reported that all 26 complaints filed with the Police Internal Affairs Bureau following alleged Police misconduct at the 1981 Lesbian/Gay Freedom Day Parade in San Francisco have been ruled out by the IAB, in identical letters to all complainants which said the claims were not substantiated.

Commissioner Sevilla said that members of the Gay community found it difficult to accept rejection of all 26 complaints, many of which, he said, were documented. He said that the Community United Against Violence had reported an increase recently in the number of alleged Police abuse cases in the Castro and Eighteenth Street area. He also described incidents of alleged Police brutality against Gays during arrest procedures that he said were outlined in a recent Bay Area Reporter newspaper article, from which he read.

He said that he wished the Mayor's Office to monitor these and other situations as far as the Internal Affairs Bureau pursuing formal complaints about them.

Commissioner Morriesey asked if any other means had been pursued by persons making complaints about Police procedures, such as legal action through the courts, in addition to the IAB procedures. He said he found it difficult to concur in writing the Mayor asking that she take action when there exist City agencies under her Administration which are delegated to do so.

Chairperson Lyon said that many sources have informed the Mayor already on this issue, and that she has indicated her willingness to deal with it. She said that complaints are filed with the IAB, with Mayor's Office, and the District Attorney's Office. The HRC, she said, has written letters of a similar nature to the Mayor before.

Commissioner Weiner suggested that the letter have an additional sentence, which refers to the fact that while the Lesbian/gay Freedom Day Parade of 1982 had been without incident or charges of Police misbehavior, the HRC is mindful of community concerns persisting from the 1981 Lesbian/Gay Freedom Day Parade. He said he felt that HRC should recognize positive efforts by the Police Department.

With this suggestion, it was

*****m/s/c to authorize sending the letter to the Mayor Regarding Collingwood Park, Police Brutality Charges, and the 1981 Lesbian /Gay Freedom Day Complaints to Police Internal Affairs Bureau. A copy is attached to these Minutes.

- Commissioner Moulton said that while she had an advance copy of the draft of this letter, she did not discuss it at the September 12 meeting of the Police Liaison/Social Issues Committee "because it wasn't necessary." The Committee had discussed the Collingwood Park issue at Commissioner Sevilla's request at length at its regular meeting August 17, in the presenceof Commander Trueb, head of the Internal Affairs Division of the Police Department. She reminded the HRC that it had expressed a desire to hear Commander Trueb's discussion of his policies and ideas for the future at a regular HRC meeting.

OLD BUSINESS

- Glad Tidings Temple Controversy.

Chairperson Lyon announced that Commissioner Soler had spoken recently with Warren Hinkle, a writer on the San Francisco Chronicle, regarding the HRC's position, based on an Opinion of the City Attorney's Office, that it has no jurisdiction over the Redevelopment Agency. Mr. Paul Hardman, publisher of The Voice newspaper, has held that the HRC is obligated to require the Redevelopment Agency to comply with the Nondiscrimination Ordinance (Chapter 12B of the City Administrative Code.) There are charges that the Glad Tidings Temple,which was granted a right to acquire some Redevelopment Agency land for a parking lot, gives space in its building to a religious group (Save Our Souls, (SOS) which discriminates on the basis of sexual orientation.

Mr. Hinkle reportedly told Commissioner Soler that he intended to write a column upholding Mr. Hardman's position, and that he would not contact either Director Mickins, Chairperson Lyon, or any other members of the HRC or HRC staff for their input.

As a result, the Director and the GAC staff drafted a formal Statement for the HRC regarding its continuing position on limits to its enforcement jurisdiction involving other agencies and groups under its enabling ordinances, Chapters 12A and 12B of the San Francisco Administrative Code.

After some discussion about the wording and organization of this draft Statement, which was provided each Commissioner, it was

*****m/s/c that the HRC issue the Statement. A copy is attached to these Minutes. The Statement is in the form of a News Release, sent September 20, 1982.

YOUTH AND EDUCATION
Brenda Wade/Rabbi Martin S. Weiner-Co-Chairpersons

- Committee Report.

This Report was postponed.

NEW MATTERS

- HRC Agenda Order for Standing Committees.

Commissioner Weiner suggested that the Standing Committees not always be in alphabetical order but rotated for Agenda presentations, since Youth and Education is always last, and its reports often are postponed or not heard.

- Commissioner Morrissey also suggested that the HRC regular meeting Agenda be rearranged, so that Standing Committee reports and recommendations be handled first, while there is a full Quorum that can take voting action, and that items for information and background discussion be taken later, as many Commissioners with other engagements sometimes have to leave a meeting in progress.

CALENDAR MATTERS

The next meeting of the HRC will be Thursday, October 14, 1982 at its regular place, the Third Floor Commission Room of the Main Library in the Civic Center at 10:15 AM.

STANDING COMMITTEES

Administrative	Thursday, September 30, 1982 8:00 AM Room 509, HRC Offices
Employment	Wednesday, October 6, 1982 9:30 AM 1850 Mission Street
Gay Advisory	Tuesday, September 21, 1982 Noon, Main Library Third Floor, Commission Room
Housing & Urban Development	To be announced .
Police Liaison / Social Issues	Special Planning Meeting Tuesday, September 21, 1982 3:30 PM Room 509, HRC Offices
Youth and Education	Thursday, September 23, 1982 3:30 PM John Adams Community College Center

No Remarks from the Audience

Attachments

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

September 17, 1982

Mayor Dianne Feinstein
City and County of San Francisco
City Hall, Room 200
San Francisco, California 94102

Dear Mayor Feinstein:

At the urging of the Police Liaison/Social Issues and Gay Advisory Committees via Commissioner Richard Sevilla, the Human Rights Commission wishes to request your continued vigilance into the issues raised by recent events at Collingwood Park and allegations of police brutality and abuse. The issues appear to be serious and documentable.

Your office has worked diligently with the community by holding monthly Gay advisory meetings, by its cooperation and attendance at the Eureka Valley Promotional Association's community meeting, and by continued changes in the Police Department. Problems concerning police practices are not new. No longer can we accept the answer "It's a few bad apples." Such abuses can only occur in a system that abets and allows such things to happen. The problem is police system-wide and must be dealt with as such.

Although the 1982 Lesbian/Gay Fredom Day went smoothly, we are mindful of the very serious problems in 1981, which taught us that the police complaint system has not been working adequately. The 1981 Lesbian/Gay Freedom Day Committee documented evidence from the community, with affidavits and photographs, of police harassment and brutality. They assisted the community in their efforts at recourse by filing grievances strictly following Police Internal Affair Bureau procedures and all of the allegations were found to be unsubstantiated. This only serves to widen the growing disparity between community and the police system. Please look into this matter to assure that a fair and impartial process took place.

We wish to thank you for your responsive work in listening to the community and making changes in police practices. We ask that you intensify and continue your actions. If we may be of any assistance to you, please let us know.

Very truly yours,

Phyllis Lyon, Chairperson

PL:JW:bct

cc: Police Chief Cornelius Murphy
Commander Richard H. Trueb, Police Internal Affairs Bureau

City and County of San Francisco

HUMAN RIGHTS COMMISSION
Office of Contract Compliance
Office of Dispute Resolution

NEWS RELEASE

For further information, please contact:
Grant Mickins or Jackie Minnow at
558-4901

The Human Rights Commission Issues Its Policy Concerning Discrimination by Outside Agencies

Recently, questions have arisen over a dispute involving Glad Tidings Temple and the Redevelopment Agency by some members of the Gay Community. The Gay community contends that Glad Tidings temple discriminates on the basis of sexual orientation and they protest the Redevelopment Agency's consideration of the sale of property to them.

The Human Rights Commission of San Francisco feels compelled to issue the following statement regarding questions concerning its enforcement jurisdiction involving other agencies and groups under its enabling ordinances, Chapters 12A and 12B of the San Francisco Administrative Code.

In every case where the Board of Supervisors has legislatively conferred jurisdiction to the Human Rights Commission over any governmental agency or area of discrimination, the HRC has vigorously and forcefully used the power to eradicate discrimination in all of its vestiges. Director Grant Mickins said, "In areas where the Board has not extended any authority for the Human Rights Commission to act against suspected acts of discrimination, such as agencies operating under legislative authority of the State (i.e. Redevelopment Agency and Housing Authority), we have nonetheless indicated our willingness to assist such agencies in the elimination of discrimination in an advisory manner. Despite our lack of authority concerning the Redevelopment Agency or the Housing Authority, we report allegations of discrimination to them and suggest that they address them promptly."

We strongly urge the Redevelopment Agency to fully investigate the charges of sexual oreintation discrimination before selling any land to Glad Tidings Temple or to any entity suspected of discriminatory conduct.

The HRC will continue in its committment to fight against all forms of arbitrary discriminatory treatment and will continue to seek the cooperation and assistance of members of the various minority and women's communities to make sure San Francisco remains a city for the fullest enjoyment of everyone.

GSM;JM;bclp
9/17/82

##########################

SF
H60
.2
C1-12

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, October 14, 1982
Commission Room, Main Library

NEXT MEETING

****
* DATE: Thursday, October 28, 1982 *
* TIME: 10:15 A.M. *
*PLACE: Commission Room, 3rd Floor *
* Main Library, Civic Center *
****

DOCUMENTS DEPT.

OCT 28 1982

SAN FRANCISCO
PUBLIC LIBRARY

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners

Present: Phyllis Lyon, (presiding), Thomas Ambrogi, Samuel Chung, Robert Edwards, Joe Jung, Corrine Lee, John Morrissey, Richard Sevilla, Esta Soler, Brenda Wade, Martin Weiner, David Yamakawa.

- Commissioner Wade was accompanied by her daughter, Miss Kena Joy Hazelwood, aged three months, and special greetings were extended to them both.

- Commissioner Obregón resigned September 30, 1982. See Director's Report.

Excused: Antonio Grafilo, Joan Zamora Moulton.

Staff

Present: Grant Mickins, Jack Casford, Vanetta Eley, Chris Fisher, Sid Gloria, Don Hesse, Stanley Lim, Pansy Ponzio, Eva Vidaurri Royale (student intern from San Francisco State University), Essie Thomas, Jackie Winnow.

Pledge of Allegiance

Minutes of September 16, 1982 approved.

COMMUNICATIONS

- From Frederick E. Jordan, Vice President and Luncheon Chairman, San Francisco Black Chamber of Commerce, inviting Director Mickins and Commissioner Brenda Wade to attend a luncheon honoring San Francisco Black Elected and Appointed Officials, at the Hilton Hotel October 5. Director Mickins and Commission Brenda Wade attended and received recognition at the luncheon.

- From Mayor Dianne Feinstein, concurring in the request of the Redevelopment Agency by resolution September 14, 1982, that the HRC investigate allegations that the Agency sold land in the Western Addition to a church that discriminates against Gays. The Mayor said, in identical letters to each HRC member, that she felt "...an impartial inquiry should be undertaken by the HRC as expeditiously as possible." Three staff persons presently are conducting the inquiry.

This issue has been discussed at several HRC meetings, and involves community protests that the Redevelopment Agency has leased land for a parking lot to the Glad Tidings Temple, in whose facilities a group called Save Our Souls (SOS) meets. SOS is alleged to discriminate against Gays.

- From Assemblyman Art Agnos, to Commissioner Joan Zamora Moulton, regarding her views on the definition of "Hispanic" as used by the City in affirmative action programs.

- From William D. Stein, Assistant Attorney General, California Department of Justice, acknowledging the HRC's September 3, 1982 letter "Complaint- Abuse of Process of Criminal Grand Jury", and detailing the investigation as of September 30, as requested by the HRC. Mr. Stein stated that, "This Office has found no abuse or misuse of power by the District Attorney or Grand Jury here," and said that the District Attorney was willing to return the HRC's original records (which had been subpoenaed by the Grand Jury).

- From Thelma Kavanagh, President, Senior Advisory Councils, Senior Escort-Outreach Program, asking for a contribution to the program for distributing government food surpluses to the low-income elderly.

- From Thomas J. Owen, Deputy City Attorney, an October 12 memorandum on "Investigations Concerning State Agencies". This was the first draft of proposed legislation to extend the authority of the HRC to investigate complaints involving local agencies operating under state law, such as the Redevelopment Agency. Also included was a possible resolution authorizing Redevelopment Agency to cooperate with the HRC in handling such complaints. The HRC powers would be under Chapter 12A of the City Administrative Code, Section 12A.5. Powers and Duties (e)

Director Mickins noted that these are powers the HRC heretofore has not possessed, as it has maintained in the controversy over the Redevelopment Agency's lease to Glad Tidings Temple. Mr. Mickins has met with Mr. Owens regarding thede documents, and said that staff could see no problem in the proposed legislation or the suggested Redevelopment Agency resolution.

- From Franco H. Consolacion, MBA, CPA, President, Filipino Accountants Association, Inc., a copy of a letter to Thad Brown, Tax Collector, requesting that he allow review of accounting workpapers gy the Association members working for the Tax Collector in meeting experience requirements of the State Board of Accountancy.

- From Blarn D. Percy, a copy of a letter sent Commander Richard H. Trueb, Commanding Officer, Police Internal Operations Bureau, a complaint regarding an incident August 14. Director Mickins said that Commander Trueb would be notified that a copy of Mr. Percy's letter had come to the HRC. The Officers for Justice, the National Association for the Advancement of Colored People, and the Council for Civic Unity had also been sent copies.

- From Barry R. Phegan, Ph.D., Senior Partner, Pacific Management Group, announcing a series of one-day seminars on Becoming a More Effective Commission or Public Board Member.

DIRECTOR'S REPORT

- HRC "COMPLAINT-ABUSE of Process of Criminal Grand Jury"- District Attorney Arlo Smith's September 20, 1982 Response Letter.

Director Mickins gave a summary of District Attorney Arlo Smith's response, saying Mr. Smith objects basically to the fact that the HRC indicated that "the question of determination of which ethnic minority or group meet the criteria of a bona fide minority-owned business eligible to participate in the Contracts of the City and County of San Francisco is purely within the purview of the HRC." Mr. Smith says this position is "in error and reflects the attitude of HRC staff in dealing with the Grand Jury." Mr. Mickins furter quoted from Mr. Smith's letter: "It seems.... that as the chief law enforcement agency for the City and County, this office need not rely upon the H.R.C.(sic) for its interpretation of the factual accuracy of...affidavits." The affidavits he refers to are those submissions made to the HRC in support of Minority Business Enterprise certifications.

- It had earlier been suggested that District Attorney Smith address the HRC on this issue at a regular meeting. Prior to being notified by Mr. Smith's office of his recent surgery and inability to appear at this October 14 meeting, the HRC had written him October 8, asking that the District Attorney's Office make copies for its retention of the HRC's original files and records and return the originals for the continuation of its work. Chairperson Lyon also announced that the letter

had stated that the State Bar of California (tc whom the HRC's September 14 Complaint also was submitted, resulting in assignment of Carle A. Hughes to handle it) would want to be in any appearance of Mr. Smith before the HRC. The HRC letter stated: "Please be advised that while the HRC is eager to have this matter resolved in the best interests of all parties, we feel that we are constrained to comply with the indtructions of the State Bar...in deferring resolution discussion until a representative of that office can advise the Commission..."

- HRC Amendment to "Complaint-Abuse of Process of Criminal Grand Jury"

- Director Mickins distributed copies of a draft letter he had prepared, addressed to the State Bar counsel, Ms. Carole Hughes, formally requesting amending the Complaint to add an additional allegation of Selective Enforcement and Discriminatory Treatment in the Use of the Criminal Grand Jury, "in relation to its continuing investigation of Minority-Owned Business Enterprises with the City and County of San Francisco."

After Commissioners' perusal of this draft and some reactive discussion, it was
*****m/s/c that the HRC authorize the Administrative Committee to work with Director Mickins, and possibly pro bono legal counsel, in finalizing the wording of the request to amend the "Complaint-Abuse of Process of Criminal Grand Jury."

Before the vote on the above motion, and at the individual requests of Commissioners Lee and Soler that they be excused from voting because of respective conflicts of interest, it was
*****m/s/c that they be excused from doing so.

- New Staff Members.

Director Mickins announced the appointment of two new members of the HRC professional staff:
- Sid Gloria, for 11 years a Regional Equal Employment Opportunity Officer with the U. S. Customs Service, has been named a Contract Compliance Representative working with the Port Commission

- Clemente Obregón, a formermember of the HRC who resigned September 30, 1982, formerly an Economic Analyst for Courier Citizen Corporation, has been named a Contract ComplianceRepresentative implementing Affirmative Action with the San Francisco International Airport.

REPORT BY THE CHAIRPEROSN

- Vacancy of Office of HRC Vice-Chairperson.

Former Commissioner Obregón's resignation leaves vacant the post of HRC Vice-Chairperson.

It was

*****m/s/c/ that the HRC defer requesting recommendations of the Nominating Committee, which begins work in November to select nominees for the HRC officers for 1983.

STANDING COMMITTEES

YOUTH AND EDUCATION
Brenda Wade/Rabbi Martin Weiner, Co-Chairpersons

- Committee Report- Commissioner Weiner.

In August the Committee selected a number of areas it wished to concentrate on: the Library funding crisis affecting both the School District and the City's public libraries; new alternative high schools; education of physically and developmentally disabled children; and youth and criminal justice system.

At its September 23, meeting, the Committee heard a presentation by Gregory Bonfilio, an attorney with the Public Defender's Officer assigned to the Juvenile Court since 1970. Mr. Bonfilio explained the guidelines under which youth are detained, eg., abused and neglected (200 processed each year); status offenders, truants, runaways (200 each year); murder, kidnap ("adult" crimes--some 2,500 in the juvenile system each year). The Committee will continue its interest in this area, and will call on the District Attorney's Office for a presentation on the status offenders' operation, for example.

At its October 7 meeting, the HRC had presentations on education issues in the San Francisco Unified School District from Board of Education Commissioner Libby Denebeim and Dr. Yvette del Prado, Associate Superintendent, San Francisco Unified School District.

They revealed that the public school system presently has some 61,000 students, up slightly from the 59,000 in 1981, (when 28,00 were in private education in the City), but down significantly from the 86,000 in the School District in 1972. Approximately 15,000 or some 25% of the present public school population, Commissioner Weiner said, are limited English-speaking. In the last years, hte Committee learned, some 10,000 immigrant children many of whom had never been in formal schooling situations, had entered the system. Commissioner Morrissey commented, however, that mathematics achievements scores had risen significantly in recent years, particularly among Asian students, many of whom came from advanced school systems in Hong Kong, Manila, and Singapore.

As to funding, there has been a reversal of support levels by state versus City: 10 to 12 years ago, the local government provided 82% of the school budget, the state, 12%; now, post-Proposition 13, the state provides 76% and the local government 15%, putting the local District "at the mercy" of the State Legislature for funding. Ms. del Prado revealed that the following "devasting things" have occurred in the District in the recent past: 30 schools have been closed; 1,400 teachers have been terminated; 400 classified positions have been reduced to lower salary levels; and administration has been reduced 40%.

Commissioner Denebeim cited: increased concern about parenting and schooling; increased confidence in public schools; economic stresses; an increased number of immigrants; and the transition of the City into a "well-to-do singles" City. She also said that in her opinion there are too many administrators, and that all credentialed personnel should be teaching in order to reduce class size.

ADMINISTRATIVE
Clemente Obregón, Chairperson

- Management By Objectives Report-Goals for 1982-83-Gail Roberts.

This report was postponed due to Ms. Roberts' illness.

- Recent Topics Covered by the Committee.- Chairperson Lyon.

The Committee discussed ways to expedite the regular meetings.

- It was announced by Director Mickins that several outreach organizations the HRC has worked with for a long time have, contrary to former reports, received a measure of refunding, including the Recruitment and Training Program, Women in Apprenticeship, and ESCMP (Engineering Society's Committee for Manpower Training). Representatives of these organizations have expressed a willingness to meet with Director Mickins to draw up a proposal for future funding to the Mayor's Office.

- Relationship to the Public Utilities Commission

There have been staff changes in the Affirmative Action program of the PUC, and the HRC wishes to talk with PUC President Commissioner Welton Flynn to explore the possibility of closer contact administratively between the PUC and the HRC. The Committee has recommended that a meeting be set up with Commissioner President Flynn, the Mayor's Office, and Director Mickins.

- HRC Meeting Time Change Survey.

It has been suggested that the HRC change its meeting time to late afternoon. A survey form was provided each Commissioner to designate his/her preference for times and days. The Library can only provide meeting space on an advance-reservation basis on Monday and Friday afternoons.

GAY ADVISORY
Richard Sevilla/David K. Yamakawa, Jr. Co-Chairpersons

- Committee Report- Meeting of September 21.

1. The Coalition for Human Rights, a group of some 40 Gay and supportive organizations in the community, has elected Pat Norman and Randy Stallings as Co-Chairpersons. Ms. Norman is a former member of the GAC and Mr. Stallings is a present member.

2. Five new members recently were interviewed and selected for membership on the GAC. They are: Barbara Cameron, Stan Palomares-Criollos, Barbara Monty, Arthur Morris, and Ruth Hughes.
The total membership is now 13.

3. Director Mickins reported on the Redevelopment Agency issue.

4. The Committee will be writing a letter to the Board of Directors of the Gay games, an event that was held recently in San Francisco, making suggestions for improvements, including increased minority representation.

5. The Committee will be recommending that a letter be sent by the HRC to the United States Olympic Committee protesting its denial of the use of the term "Olympics" to the recent Gay games held in the City.

6. The Committee has asked the community to protest the passage by the Legislature (and signing by the Governor) of Senate Bill 1025, which provides that Police officers may file libel suits against persons filing formal complaints against them if their complaints are found not to be valid.

The agenda for October 19 will include:

1. A discussion of Chapter 12A and how the GAC and the HRC operate under it, and a discussion of the complaint process.

2. A speaker from the Wages Due Lesbians organization.

3. Discussion about work with the Polk Street Town Hall Committee on a December meeting regarding adolescent prostitution in the Polk Street area.

EMPLOYMENT
Antonio Grafilo/Esta Soler, Co-Chairpersons

- VIACOM Cablevision Annual Report-Essie Thomas, HRC staff.

Ms. Thomas read from her written report, accompanied by two statistical tables, as follows:

Tele-Vue Systems, Inc. is a subsidiary of Viacom Internaitonal Inc. It is known in San Francisco as Viacom Cablevision. Viacom Cablevision headquarters is at 2055 Folsom Street. Viacom Cablevision is operating with a franchise with the City and County of San Francisco, which was granted in 1964 and will expire in 2005.

The Human Rights Commission does not have a formal Affirmative Action Agreement with Viacom Cablevision. However, it does have a letter of understanding that complies with the provisions of Chapter 12B of the Administrative Code of the City and County of San Francisco. In order for the Human Rights Commission to determine to what extent Viacom Cabelvision is in compliance with Chapter 12B, they complete and return a questionnaire that is supplied by the Human Rights Commission. A Site Visit is also made by HRC staff twice each year.

The Human Rights Commission has been monitoring Viacom Cablevision since 1970. During that time, it was known as Television Signal Corporation and located at 1902 Van Ness Avenue. The present Director of the Human Rights Commission held theposition of coordinator and requested a report on the

ethnic identification of the workforce of Television Signal Corporation. This request was complied with on September 14, 1970 The HRC has been monitoring Viacom closely since 1976.

Last year (1981), the total number of employees was 201; this year (1982) through May 31, the total number of employees had increased by 64 or 32%, for a total of 265. The number of male employees increased 54 or 38%, while the number of females increased by 10 or 17%. The number of minoritymales increased by 24 or 42%, while the number of minority females decreased by 8 or 20%. The total percentage of minorities in the workforce has decreased from 46.3% to 41% in 1982. However, numerically, the workforce has increased from 93 to 109.

During the last 12 months, there were 108 new hires; 40 of these were minority males and 8 minority females or 44.4%, while Whites, 43 males and 17 females, made up 55.6%.

Ms. Thomas said that her next report will be done under a standing Affirmative Action Agreement with VIACOM, which to this time has been cooperating with the HRC under a Letter of Understanding.

In response to Commissioner Morrissey's inquiry, Ms. Thomas said there was no known internal training program by VIACOM to train technicians. She also commented that in her on on-site visit to VIACOM she only saw and talked with one minority person, regardless of the statistical figures shown in the workforce status tallied in her report.

With thanks to Ms. Thomas for her work, it was
*****m/s/c to accept the VIACOM Cablevision Annual Report.

NEW MATTERS

- Proposed Ordinance (Supervisor Dolson) to Amend Chapter 12A To Form an Advisory Council on Human Rights Appointed by Members of the Board of Supervisors.

Copies of this proposed Ordinance were provided in advance of this meeting to all Commissioners, as well as copies of a Proposed Substitute Ordinance to be Recommended by the HRC.

Commissioner Sevilla reported that Supervisor Dolson will introduce his proposed Ordinance October 26, at the Committee level.

It was

*****m/s/c to take up this matter without its having been previously put on the agenda.

Commissioners Sevilla and Lyon reviewed the original Ordinance creating the GAC, its status as a Standing Committee (Commissioner Eduardo Sandoval was its first chairperson) from the beginning. The proposed substitute ordinance would establish this formally, with a special Committee of not less than three persons publically identified with the Lesbian/Gay community, and the committee to serve as a standing Committee of the

Commissioner Sevilla said his efforys to have a meeting directly with Supervisor Dolson for himself, Director Mickins, and Chairperson Lyon had been unsuccessful. Mr. Dolson's office has insisted that the contact be his Administrative Aide.

The Commissioner pointed out that no other committee or no other City commission has members appointed by members of the Board of Supervisors. He said he feared that such a condition would "politicize" the GAC, leading to patronage appointments, not necessarily including persons identified with Gay/Lesbian community interests and concerns. He said the proposed Dolson ordinance would make the GAC an autonomous body, outside the HRC, with no designation as to who would staff it, to whom it would report, and whom it would be delegated to advise.

Chairperson Lyon said she had talked with a number of members of the Board of Supervisors regarding the HRC's upcoming action to consider a

substitute ordinance to the Dolson proposed ordinance, and she noted that the latter legislation was the outgrowth of a number of years of conflict from certain segments of the Gay community about the GAC and the HRC.

After further discussion, it was

*****m/s/c that the HRC submit a Proposed Substitute Ordinance to the Board of Supervisors amending Chapter 12A.6 (a) and (c). It would continue to state that "the members of the Committee shall be appointed to the Commission and shall serve until discharged by the Commission."" A copy is attached to these Minutes.

- Commission on Social Justice Report-Commissioner Ambrogi

A report, "Homosexuality and Social Justice," by the Task Force on Gay/Lesbian Issues of the Commission on Social Justice of the Archdiocese of San Francisco, has just been released and may be ordered by writing Task Force Report, 584 Castro Street, 341, San Francisco, 94114.

- Cross-Cultural Issues Presentation.

Commissioner Brenda Wade announced that all members of the HRC are invited as her guest to a presentation called "Cross-Cultural Issues" to be given October 27, 28, and 29 at Fort Mason. Flyers will be sent to the HRC soon.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, October 28, 1982, at 10:15a.m. in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Wednesday, November 3, 1982 9:30 a.m. 1830 Mission Street
Gay Advisory	Tuesday, October 19, 1982 Noon, Main Library Third Floor, Commission Room
Housing & Urban Development	To be announced
"	
Police Liaison/ Social Issues	Tuesday, October 19, 1982 3:30 p.m. Room 509, HRC Office A public meeting will be held by the Committee on Thursday, November 4, at 7p.m. at 2929 19th Street in the Mission community.
Youth and Education	Thursday, October 21, 1982 3:30 p.m. 1860 Hayes Street, Room 136

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:vee

Attachment #1

PROPOSED SUBSTITUTE ORDINANCE
ADOPTED BY HRC 10/14/82
AND INTRODUCED AT THE BOARD OF SUPERVISORS 10/18/82

FILE NO_____ ORDINANCE NO_____

(Huamn Rights Commission)

AMENDING CHAPTER 12A OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 12A.6 THEREOF ESTABLISHING A SPECIAL COMMITTEE AND PROCEDURES PERTAINING THERETO.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 12A of the San Francisco Administrative Code is hereby amended by amending Section 12A.6 thereof:

NOTE: Additions are underlined; deletions are indicated by ((double)) parentheses.

Sec. 12A.6 Advisory Council; Special Committees.

(a) There shall be established a council to be known as the advisory council on human rights (hereinafter called "Council") representative of the following interest or groups: employer, labor, racial , religious, ethnic, housing, appropriate governmental agencies and such other as the Mayor shall deem advisable. The members of the Council shall be appointed by the Mayor to serve at his or her pleasure and shall not be subject to the residence requirements of the Charter. The Council shall advise the Commission and shall be authorized to mediate and conciliate, upon specific request by the Commission, and to perform such other functions as shall from time to time be deemed appropriate by the Commission.

(b) The Commission may form such special committees within and without the Advisory Council as are necessary to assist the Commission in the solution of specific problems within the scope of its responsibilities. The members of such committees shall be appointed by the Mayor upon the recommendation of the Commission, and

shall serve until discharged by the Mayor upon the recommendation of the Commission and shall not be subject to the residence requirements of the Charter.

Members of the Council and special committees shall serve with out compensation.

(c) There shall be established a special Committee of ((three)) not less than three persons who are publicly identified with the ((homophile)) Lesbian/Gay community or who have worked closely with the ((homoplile)) Lesbian/Gay community. ((The members of the Committee shall be appointed by the Commission and shall serve until discharged by the Commission.)) The Committee shall serve as a standong Committee of the Human Rights Commission according to the rules of the Commission.

The Committee shall address itself specifically to the identification and solution of problems associated with the ((homophile)) Lesbian/Gay community, and shall file written reports thereon with the Commission.

Members of the Committee shall serve without compensation and all meetings of the Committee shall be public.

APPROVED AS TO FORM:

George Agnost,
City Attorney

By_____
Deputy City Attorney

Supervisor_____

SF
H80
#2
6/25/82

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, October 28, 1982
Third Floor Auditorium, Department of Public Health
101 Grove Street, Civic Center

DOCUMENTS DEPT.

NOV 22 1982

SAN FRANCISCO
PUBLIC LIBRARY

NEXT MEETING

***

objections to "Project Jobs" a round up of undocumented workers in the Spring of 1982. The HRC's Police Liaison/Social Issues Committee also had written continued opposition to the Simpson-Mazzoli Bill in The Congress, a purported reform of U.S. immigration laws. Mr. Ilchert in this letter said that he felt that the present Simpson-Mazzoli and House Judiciary Committee bills for immigration reforms, "... offer some measure of relief and reform for all factions."

- From Mayor Feinstein, a copy (sent to all City department heads) of her State of the City Address of October 12, 1982.

- From George Butterworth, Assistant District Attorney, Special Prosecutions Unit, Office of the District Attorney, responding to the HRC's October 8, 1982 letter requesting the return of certain files subpoenaed on behalf of the San Francisco Criminal Grand Jury, saying that he would transmit the request to the Grand Jury.

- From Thomas J. Owen, Deputy City Attorney, a Memorandum of October 12, 1982 regarding Investigations Concerning State Agencies. This is the first draft of proposed legislation to amend Chapter 12A.5 Powers and Duties to extend the authority of the HRC to investigate complaints involving agencies operating under state law, such as the Redevelopment Agency. Also included was a possible resolution urging the Redevelopment Agency to cooperate with the HRC in handling such complaints.

- From Elisabeth C. Brandon, Legal Assistant, for George Krueger, Deputy City Attorney, and George Agnost, City Attorney, a copy of a letter to John L. Taylor, Clerk of the Board of Supervisors, in response to his request for a review of Chapter 12B of the City Administrative Code, on behalf of Supervisor Willie B. Kennedy's two concerns: to ensure that minority employment is proportionately distributed throughout all levels of employment, and that there be a mixture of ethnic groups in each minority category. This request rose out of a June 8, 1982 meeting of the Board's Civil Service and General Administration Committee, which reviewed the affirmative aciton plan for the Moscone Convention Center. The HRC had been consulted in this matter by the City Attorney's Office, and the letter to Mr. Taylor stated that, "The HRC feels that its monitoring process enables it to detect any instances where employers may attempt to hire only certain groups of minorities. It is the further opinion...that adequate remedies already exist in the ordinance to permit the effective enforcement of the 'ethnic balance' goal."

- From Commissioner-Designate Suncin, an invitation to attend his swearing-in on November 9, 1982 at 11 A.M. in the Mayor's Office, Room 200, City Hall.

- From Gordon J. Lau, Attorney, a letter on behalf of "a number of clients" regarding the Affirmative Action Plan of Duty Free Shoppers at the Central Terminal of the San Francisco International Airport.

- From David Kroopnick, Deputy City Attorney, and Mary Golden, Legal Assistant, Office of City Attorney, a copy of a Memorandum of October 22, 1982 to John L. Taylor, Clerk of the Board of Supervisors, regarding two proposed ordinances, one proposed by Supervisor Lee Dolson amending Section 12A.6 of the City Administrative Code" enlarging a special committee and providing for a new appointment procedure" (this refers to the Gay Advisory Committee); and one proposed by Supervisor Harry G. Britt on the same subject.
See Gay Advisory Committee report elsewhere in these Minutes.

- HRC Annual Report-Fiscal 1981-1982.

This report is being distributed at this time. Stanley Lim, Gail Roberts, Pauline Anderson, Linell Harden, Richard Norton, Mary Gin Starkweather, and other members of the staff prepared it, and Chairperson Lyon paid tribute to them. This is the seventeenth Annual Report issued by the HRC.

- United Way Charity Drive- Don Hesse

Mr. Hesse discussed this drive and announced that Roger Boas, the City's Chief Administrative Officer, has set financial goals for every City department which will be posted in City Hall. The contribution goal for the HRC and its staff is $500.

Also distributed at this time were brochures describing the Combined Health Agencies Drive (CHAD), whose HRC Coordinator is Stanley Lim. This campaign ends November 5.

- Salary Standardization for HRC Staff.

The HRC professional job classifications come under what is called a "benchmark" by the Civil Service Commission, the level which is set as the professional salary level guideline. The HRC professional staff, joined by all other City employees holding jobs under the (Class 2996- Representative, HRC) same benchmark, are requesting formally that the CSC upgrade the benchmark to reflect the contract compliance/affirmative action officer duties presently carried out, and that it use Bay Area agencies and commissions with comparable contract compliance/affirmative action officer positions as data setting the San Francisco salary level.

It was

*****m/s/c that the HRC formally and officially communicate its support for these salary standardization requests for its staff to the Civil Service Commission.

STANDING COMMITTEES

Police Liaison/Social Issues Committee

- Police Internal Affairs Division/Police Commission Review and Appeals Process on Complaints--Commander Richard H. Trueb, Commanding Officer of the Police Department's Internal Operations Bureau, which includes the Internal Affairs and Legal Divisions, and James Maas, Ph.D., Interim Staff Investigator to the Police Commission.

The Police Liaison/Social Issues Committee had heard this presentation at its regular meeting October 19. Commander Trueb is a regular member of this Committee, representing Police Chief Cornelius Murphy.

Commander Trueb was appearing before the HRC as the personal representative of the Chief, and his purpose was to explain the new concepts in internal Police discipline, supervision, administration, and operation of the Internal Affairs Bureau that have grown out of the recommendations of the Task Force established by the Chief in July of 1981.

Sixteen of those nineteen recommendations were adopted in December of 1981 by the Police Commission, most of them administrative. One was the establishment of the position of Commander to head the Internal Operations Bureau, and one was the hiring, by the Police Commission, of a civilian staff investigator (Mr. Maas) for independent review of complaints.

Commander Trueb said that there three basic principles that grew out of the Task Force recommendations:

1. A greater openness in the Internal Affairs Division complaint-handling process , including more citizen involvement and information, public forum appearances by himself.
He cited two pieces of State legislation, AB 301 (the Public Safety Officers Procedure Bill of Rights), and SB 1436, which codified and limited access to the records of the Internal Affairs Division. He noted that these bills' provisions prevent the Internal Affairs staff from making public a great deal of information, which the bills define as related to personnel records and therefore confidential. He said that relations between Internal Affairs and the public would be much better if much of the information it obtains could be made public record. He said the category "insufficient evidence" is the most frequent, which means that allegations can neither be proved or disapproved by the evidence available.

2. The adoption of a "systems approach" to complaint-handling internally. This means that Commander Trueb has the ability to make direct contact with line officers (first and second line supervision sergeants and lieutenants) regarding complaints without having to follow the traditional "chain-of-command" procedure. Commander Trueb makes personal visits to various district stations, and he makes many community appearances, all in line with the mandate regarding complaint-handling.

3. Opening the process up to criticism during the investigative stage. This is accomplished by having the Police Commission hire an independent staff investigator (Mr. Maas) who is asked to review all cases handled by the IAD.

This is accomplished by review, by the Police Commission's civilian independent, interim staff investigator (Mr. Maas), of IAD cases, many on referral from the Chief and Commission members who feel they need more investigation and study. Commander Trueb distributed copies of a large flow chart, "Complaint Investigation & Review" which shows the steps (more than 25) that are followed from the time a citizen initiates a complaint, either with any Police unit, or the IAD. It indicates the number of times a complaint can be referred for further investigation.

Once IAD has completed an investigation, a Citizen's Satisfaction Questionnaire is sent to the complainant. Samples of this questionnaire also were provided members of the HRC. The form asks four questions: regarding courtesy by investigators, whether information was clearly explained, whether the complainant is satisfied with the disposition of the complaint, and if not, informing that a review request may be made by writing the Police Commission.

At this point, Mr. Maas then explained his work, which basically is to review IAD cases on which more study is sought, and to make his finding of agreement or disagreement with the IAD's finding. The Police Commission can request further investigation or approve Mr. Maas's recommendation. He said that prior to December of 1981, when he began his tenure, three of the five Police Commissioners at any one time were required to review complaint cases resulting in a backlog. Now, Mr. Maas said, a single Commissioner on a rotating basis gets a file back to him within six to eight days.

As of July, 1982,15% of the questionnaires mailed had been returned. He said that reasons for not returning ranged from simple human failure to follow-through, to feelings that "it is of no use" to do so.

He said that of those returned, one-third were persons satisfied with the disposition of their complaint, and two-thirds not. Mr. Maas then referred to samples of actual returned questionnaires (with names and addresses blacked out), to show how he followed up and what became of them.

Commissioners followed Mr. Maas' presentation with a number of questions. Mr. Maas said that the Penal Code forbids revealing the type of discipline that is rendered when a complaint is sustained against a Police officer.

Commissioner-Designate Suncin suggested that complainants should be informed when they first file that a civilian investigator is part of the complaint review process.

Mr. Maas said that complainant "vindictiveness" played very little part in the complaint process.

He said that the Mayor's Office makes many referrals for follow-up to citizens complaints against the Police Department.

There was an explanation of the rights of an accused Police officer to have representation during the investigation process, with limits on representatives' observation privileges during IAD interrogation, for example. An officer must answer questions when the complaint is handled administratively, but cannot be compelled to do so when it is handled as a criminal matter, in which case it is referred first to the District Attorney.

Of the 150 complaints cases followed up by surveys by a staff member of the Mayor's Criminal Justice Council, Commander Trueb said, 56 complainants could be found again, and 14 were still dissatisfied.

Other questions and comments were made by Commissioners Grafilo and Moulton during this discussion, regarding the distinction between uniformed and plain-clothes officers (none), and problems of ex-felons with alleged harassment by some law enforcement officers.

Commissioner Lee was told, in response to her question, that from January through September of 1982, 1,095 complaints cases had been filed with the SFPD and that one in four had resulted in disciplinary action. Such action can be either a reprimand, an admonishment, a suspension, or termination.

Commissioner Sevilla asked for an explanation of the role of the Police Officers Association at two points during the meeting. Commander Trueb cited a piece of state legislation (Government Code 3500--Meyers/Wilias/Brown act) saying the SFPD must meet and confer on any matter that relates to changes in wages, hours, and working conditions, on the administrative level.

Commissioner Soler was told the IAD presently consists of twelve sergeants, who are the investigators, an inspector, a sergeant and a patrolman who handle preliminary complaints coming in, two lieutenants who are supervisors, and four clerical support, besides the Commander (Trueb).

It is projected that the SFPD will have 1,971 officers by 1984, said Commander Trueb, with some 1,800 on the force now.

Director Mickins asked how many of the community complaint-receiving locations set up (in response to community concerns about the Hall of Justice as the sole location) were still open. Commander Trueb said all were closed, because of a lack of response by the public. This is with the exception of office of the Mayor's Criminal Justice Council.

After some more discussion by the presenters, they were thanked formally by the Chairperson for their presentation.

GAY ADVISORY
Richard Sevilla/David Yamakawa Jr., Co-Chairpersons

- Status of HRC and Supervisors Britt, Molinari, Renne, and Silver's Substitute Ordinance Amending Chapter 12A, Section 12A.6 of the San Francisco Administrative Code Regarding the Gay Advisory Committee.

The Board of Supervisors' Human Services Committee heard this and Supervisor Dolson's proposed ordinance on the same subject at its meeting October 26.

The Committee voted to table Supervisor Dolson's proposed ordinance (which would have had members of the Gay Advisory Committee appointed by Supervisors (one each) and the Mayor (four) and not subject to residency requirements of the Charter but "be a resident of the City and County."

The Committee then voted 3-0 to adopt the proposed substitute ordinance by Supervisor's Britt, Molinari, Renne, and Silver that states that the Committee (Gay Advisory Committee) be made up of not less than three persons, residents of the City and County, publicallyidentified with the Lesbian/Gay community, and that it (the Committee) sahll be appointed by the HRC and shall "serve until released by the Commission. Committee members shall be residents of the City and County of San Francisco."

Commissioner Sevilla said that only one person, Paul Hardman, spoke on behalf of Supervisor Dolson's proposed ordinance.

Commissioner Sevilla distributed copies of the Bay Area Reporter with a full account of that October 26 meeting.

The proposed ordinance goes to the full Board of Supervisors November 1.

Chairperson Lyon and Commissioner Sevilla thanked Jackie Winnow, the HRC Lesbian/Gay Liaison, and other staff and GAC and community representatives by name for their work and their appearance at their hearing.

- Recommendation to Endorse Domestic Partnership Ordinance- Mr. Dana Van Gorder, Administrative Aide to Supervisor Britt.

The HRC endorsed the concept of Domestic Partnerships at its meetings of August 12 by a one-vote margin, and again endorsed the concept at its regular meeting September 2. The vote August 12 was that it "endorse the concept of domestic partnerships as a criterion for benefits for City employees, providing that the costof such benefits be a viable option for the City." At that time

there was detailed discussion on the health benefits aspect of this measure.

On September 2, the HRC again discussed the subject, specifically on the Concept of a Record of Domestic Partnership, and of the Concept of Visitation in Hospitals and Jails and Other Provisions of Certain Benefits of Domestic Partnerships. It then voted to endorse these two concepts as contained in two proposed Ordinances.

Mr. Van Gorder at this meeting discussed a measure, "Amending San Francisco Administrative Code by Adding Chapter 45 Thereto Establishing Domestic Partnership As a Factor to be Considered by Boards, Commissions, and Departments of the City and County of San Francisco." He had made this presentation to the Gay Advisory Committee October 19 and obtained its recommendation that the full HRC endorse it.

He said that this measure had been rewritten in Supervisor Britt's office to state that "Whenever this City uses marriage as a factor in making any decision (including, but not limited to, the availability of any service, privilege, or employment benefit), it shall use domestic partnership in the same way."

Domestic Partnership was defined as : "Two individuals are domestic partners if:

1. They are not related by blood;
2. Neither is married and they are not related by marriage;
3. They share the common necessaries of life;
4. They declare that they are each other's principal domestic partner;
5. Neither has, within the last six months, declared to any City Department that he or she has a different domestic partner."

Mr. Van Gorder said that the change from the two previously-discussed ordinances principally was that the present one would have jurisidction only at San Francisco General and Laguna Honda Hospitals.

He cited the major changes in the definition above from previous versions.

Since there had been Commissioner concerns at previous meetings about the possible actarial effect of a domestic partnership ordinance as far as health care costs overall for City employees, Mr. Van Gorder said that supervisor Britt's office had worked with an actuary who has looked at the legislation and was familiar with the City's health benefits program, and that, given that if there would be no more than a 10% additional membership into the system, there would be no actuarial consequences. He said that in many cases present City employees' partners already have health insurance coverage.

Mr. Van Gorder said he had a problem with the argument about possible cost increases for benefits eligibles in that it was attaching human rights considerations to economic ones.

He said that there were a number of groups within the health coverage system which tend to drive up the costs, and there have been no pressures to exclude them, and said that women are "the costliest members of the health system."

Following his presentation a number of questions were asked by members of the HRC. It was observed by Commissioner Morrissey that persons without any sexual relationship or partnership might, by filing a declaration, be seeking to come into the health coverage system. It was pointed out that heterosexual, unmarried persons would be covered by the proposed Ordinance.

Commissioner Weiner pursuing some of the points he had made in earlier HRC discussions on this subject, said he had spoken with Supervisor Britt about the proposed Ordinance, and that he still wondered how it deals with some of the other legal responsibilities that are incumbent on persons legally married, such as community property, inheritance taxes and so forth. He said he felt that the actarial impact figure of 10% quoted by Mr. Van Gorder was "probably underestimated." He said that, in a legal marriage, it was not as easy to deny one's legal responsibilities as it is in the proposed domestic partnership, which can be declared on payment of a fee (of $18). He said that he saw a potential for abuses of benefit rights in the Ordinance in its present form.

Mr. Van Gorder said he did not believe that potential abuses would be "excessive" and said he saw no distinction, since legal marriages have been used for such purposes in the past.

"The argument tends to diminish the value of long term Gay relationships, he said, "which I think deserve to be legitimized."

To Commissioner Weiner's specific question, Mr. Van Gorder said there ahd been no attempt in the writing of the proposed Ordinance to define more specifically set legal requirements of domestic partnership.

Commissioner Soler said that she wished to re-affirm her support of the proposed Ordinance. She cited her work as Director of the Family Violence Project in the Office of the District Attorney, saying she often sees abuses in legal relationships leading to domestic violence. She appealed for equal health protection for all people, not giving certain privileges to persons who are married over the unmarried. She said that if abuses did develop in the Ordinance, if passed, they could be addressed in the future.

Mr. Van Gorder said it was intended to do this review, and noted that the Retirement System had been excluded from coverage in the present legislation. He noted that the filing fee had been increased form $10 to $18, $8 of which goes to the Domestic Violence program.

Commissioner Moulton asked if non-Gay people would be covered and said that in her community there were people who would never declare publically that they were unmarried because of cultural and religious convictions.

Commissioner Morrissey restated his reasons for finding it difficult to support the proposed Ordinance in agreement with some of the points of Commissioners Moulton and Weiner.

Commissioner Sevilla appealed to the HRC to support the Gay community which has identified a need that it has, saying that it was the responsibility of the HRC to do so.

Chairperson Lyon noted that the law would cover everyone who would wish to declare themselves domestic partnerships, regardless of their sexual orientation.

Commissioner Sevilla then moved, and Commissioner Soler, seconded, that the HRC endorse Chapter 45, as proposed, to amend the San Francisco Administrative Code which established Domestic Partnership as a factor to be considered by Boards, Commission, and Departments of the City and County of San Francisco. ***** In a shoe of hands, the motion was defeated 6 to 5.

- Approval of Thank-You Letter to Supervisors Harry Britt, John Molinari, Louise Renne, and Carol Ruth Silver.

It was

*****m/s/c/ that the HRC approve the sending of this letter, which thanks the Supervisors for their sponsorship of the proposed substitute legislation amending Chapter 12A concerning the Gay Advisory Committee.

- Approval of Letter to Dr. Thomas Waddell, President, Board of Directors, Gay Games Headquarters.

It was

*****m/s/c/ to approve sending this letter to Dr. Waddell, congratulating him on the staging of the 1982 Gay Games in San Francisco.

- Approval of Letter to Vaughn Walker, United States Olympic Committee

It was

*****m/s/c to approve sending this letter which expresses concern with Mr.

Walker's activities legally seeking to deny the 1982 Gay Games use of the term "Olympics."-

- Committee Report- Postponed.

YOUTH AND EDUCATION
Brenda Wade/Rabbi Martin Weiner, Co-Chairpersons

- Committee Report.

In the absence of Commissioners Weiner and Wade, Commissioner Morrissey reported that the Committee's October 21 meeting heard from Ms. Mary Carrigan, Resource Librarian, Parkside School, & Ms. Joan Dellon, Assistant Coordinator, Office Children's Services, Main Library, on the current library funding crisis.

The next Committee meeting will be Thursday, November 18, with an agenda that will consider street youth involved in prostitution and other high-risk life styles (Polk Gulch area), with a presentation by Ms. Ruth Hughes, of the Polk Street Town Hall organization; a discussion of Raoul Wallenberg High School with its Principal, Mr. James Kearney; and Funding Preventive Services for Children, with Ms. Margaret Brodkin, Director, Youth Advocates Project.

EMPLOYMENT
Antonio Grafilo/Esta Soler, Co-Chairpersons

- Contract Compliance Report, 1981-82-Commission on the Aging Contractors- Mary Gin Starkweather, HRC Employment Representative.

Ms. Starkweather based her verbal report on an extensive written one, supported by seven statistical tables. A full copy of this report may be obtained by contacting her at the HRC Offices.

Following are some of the highlights from that report, verbatim, as Ms. Starkweather presented them.

This report covers the fiscal year July 1, 1981 through June 30, 1982. During that period, the Commission on the Aging received approximately $2 million in parking tax funds and over $3 million in Title III money from the Federal government for distribution to agencies serving senior citizens in San Francisco. Title III of the 1964 Civil Rights Act provides Federal funding for nutrition programs for the elderly. Of the combined $5 million total, over $3 million was allocated to minority-based agencies or to agencies which serve primarily minority communities.

Of the 40 contractors monitored, 14 were funded exclusively with parking tax money, 14 were funded with Title III money, and 12 were funded by a combination of both funding sources.

Services provided by the agencies funded by the Commission on Aging are: escort, transportation, in-home (homemaker, chore and health maintenance), legal, social (arts and crafts, exercise classes, etc.), nutrition (low-cost meals in both congregate and in-home settings); outreach/information and referral; and housing.

HRC staff currently has negotiated 28 Affirmative Action Agreements with the Commission on Aging subcontractors to expire in 1983. Staff, at the request of the U.S. Commission on Civil Rights, now makes site visits to each agency to negotiate the agreement. These site visits have proved to be very helpful in that staff is much more familiar with the functions of the agencies and can use these agencies as invaluable resources when Seniors call the HRC for information and advice.

At the request of the Commission onAging at one of its regular meetings, the Affirmative Action Agreements now contain a clause requiring the agency to develop programs for hiring Older persons. This clause is added under the jurisdiction of the Older Americans Act of 1965.

Ms. Starkweather then referred to the statistical tables, which showed, respectively, the 1982 workforce by job category, ethnic breakdown, and sex; the minority workforce comparisons by year (1981-82); comparison of minority and women workers to the entire workforce by job category, sex, and ethnic designation; the racial breakdowns by job category for 1982, (five categories; officials and manager, professionals, technicians, office & clerical, operatives,

and other); disabled employees by job category and sex in comparison to the entire workforce; and, finally, a table showing all the Commission on Aging subcontractors for 1981 by name, showing the source of their funding (Title III or Parking Tax).

After analysis figures were discussed showing increases and decreases in participation by various categories of employees, Ms. Starkweather made the following observations on whereshe called "significant efforts" needed to be made:

- Minorities must be promoted to more decision making positions. This can be accomplished by encouraging training programs to be set up so that present employees can become qualified to fill positions vacated in their own agency.

- The American Indians Hispanics, and Filipinos are underrepresented in the workforce of the subcontractors. In a partial attempt to remedy this situation, staff will contact recruitment sources and encourage them to inform job seekers to actively apply at Commission on Aging subcontracting agencies.

- The disabled also are underrepresented. Perhaps this number will grow in light of the clause to hire more senior citizens in tandem with hiring disabled persons. Disabled make up about 8% of the San Francisco population and large numbers of those persons are elderly and are employable.

Ms. Starkweather announced that fiscal 1981-82 was the finalyear tha HRC staff was funded by an interdepartmental work-order from the Commission on the Aging. Commencing with 1982-83, the City has provided General Revenue funding in order that HRC staff may monitor the Department of Public Health and Department of Social Services contractors in addition to the Commissoin on Aging contractors.

Commissioner Yamakawa questioned why certain subcontractors were shown in the tables as not having Affirmative Action Agreements signed. Ms. Starkweather said that many of the latter had already shown by their work-force breakdowns that they were not in as great a need of formal Agreements as some other subcontractors, and, in addition, many of them had very small staffs, as few, in some instances, as less than five. MS. Stakweather noted that all subcontractors are within the HRC jurisdiction under Chapter 12B of the Administrative Code relating to discrimination prohibitions. Director Mickins said that all subcontractors listed have signed forms entitled "Acknowledgement of Obligations under Chapter 12B of the S.F. Administrative Code, Nondiscrimination in Contracts."

Commissioner Yamakawa repeated his suggestion that with respect to large (subcontractor) agencies that do not fit into the samll category Mr. Mickisn reffered to, Affirmative AcitonAgreements to signed for fiscal 1982-83 in order for them to be eligible for fiscal 1983-84.

At this point, Commissioner Soler returned to the meeting.

*****After further discussion on this piont, Commissioner Yamakawa's suggestion that more inclusive and formal guidelines for securing Affirmative Action Agreements from all contractors be written was referred to the Employment Committee.

It was

*****m/s/c to accept the Contract Compliance Report 1981-82, Commission on Aging

- At this point, as Commissioner Morrissey left the meeting, Commissioner Anbrogi requested that the HRC not meet again in the Third Floor Auditorium of the Department of Public Health Building because of the lack of adequate facilities for discussion and presentations.

- Director Mickins announced that the survey of Commissioners as their preferences for a meeting time has resulted in seven choosing the 10:15 A.M. Thursday morning at the Main Library Commission Room the first preference and one as the second preference; four choosing Monday afternoon as first preference, and three choosing Friday afternoon as first preference. He asked that the matter be postponed as the HRC staff continued its efforts to find an alternative location that will permit a 9 A.M. start for the regular meetings.

CALENDAR MATTERS

- The next regular meeting of the HRC, and the only one in November because the second and fo Thrusdays, the 11th and the 25th, are legal holidays (Veteran's Day and Thanksgiving Day), will be Thursday, November 18, 1982 at 10 AM in the Main Library Third Floor Commission Room.

STANDING COMMITTEES

Employment	Wednesday, November 3, 1982 9:30 a.m. 1850 Mission Street
Gay Advisory	Tuesday, November 16, 1982 12:00 Noon Main Library, 3rd floor Commission Room Civic Center
Housing & Urban Development	To be Announced
Police Liaison/ Social Issues	Public Meeting-Mission Community Thursday, November 4, 1982 7 p.m. 2929 19th Street
Youth & Education	Thursday, November 18,1982 , 3:30p.m. John Adams Community College Center 1860 Hayes Street, Room 136

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JC:vee

SF
HRC
11/18/82

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, November 18, 1982
Lurie Room Main Library Civic Center

NEXT MEETING

****
* DATE: Thursday, December 9, 1982 *
* TIME: 10:15 A.M. *
* PLACE: Commission Room Third Floor *
* Main Library Civic Center *
****

DOCUMENTS DEPT.
DEC 9 1982
SAN FRANCISCO
PUBLIC LIBRARY

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners

Present: Phyllis Lyon, (presiding), Thomas Ambrogi, Samuel Chung, Robert Edwards, Antonio Grafilio, Joe Jung, Corrine Lee, John Morrissey, Richard Sevilla, Esta Soler, George Suncin, Brenda Wade, Rabbi Weiner, David Yamakawa.

Excused: Joan Zamora Moulton.

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Chris Fisher, (Commission on the Status of Women), Sid Gloria, Diane Healy, Don Hesse, Stanley Lim, Richard Norton, Gail Roberts, Eva Vidaurri, Pansy Ponzio-Waller, Jackie Winnow.

Pledge of Allegiance

Minutes of October 28, 1982 approved.

On Page 7, a typographical error resulted in the word "shoe" instead of "show" in the sentence "In a show of hands, the motion was defeated 6 to 5."

COMMUNICATIONS

- From George A. White, Assistant Executive Director, San Francisco Clean Water Program, requesting review of Program funding for HRC work in Affirmative Action/Minority Business Enterprise activities for fiscal 1982-83.

Director Mickins reported that he and Stanley Lim, HRC Coordinator-Clean Water Project, met November 16 with Mr. White for this review. He said the Program had earlier indicated that it might cut as much at one-half of the current level of funding for HRC monitoring services, on the theory that the work on the Program was one-half finished and that much of the remainder as planned had been cancelled. Mr. Mickins said that Mr. White has indicated subsequent to the meeting that he is satisfied that the HRC staff work should be maintained, if documented, at the current level through 1983.

- From U.S. Senator Alan Cranston, a response to the HRC Police Liaison/ Social Issues Committee concerns contained in formal letters to him and other officials about the U.S. Immigration & Naturalization Service and Justice Department actions against undocumented workers in April of 1982. This was an action called "Project Jobs". Senator Cranston wrote in detail and at length outlining his positions on illegal immigration, enforcement of immigration laws, employer sanctions, exploitation of illegal workers, etc. The HRC also had opposed the Simpson-Mazzoli Bill, the so-called immigration law (S. 2222, The Immigration Reform and Control Act) reform bill in The Congress.

- From John L. Taylor, Clerk of the Board of Supervisors, requesting, on behalf of the Board and specifically Supervisor Willie B. Kennedy, data about the percentage and numbers of displaced limited tenured employees previsously employed at San Francisco General Hospital. This letter was read in full. Director Mickins said that Frank Anderson of the HRC staff would be handling this inquiry.

- From K. Kinnard, P & K Trucking, a copy of a Mailgram sent also to the Mayor's Office, the City Attorney, and the District Attorney, and the District Attorney's Office, requesting certain actions regarding the Southwest Outfall Pipe (SWOOP) contract. Director Mickins said that P & K has asked that the HRC take action on its behalf but has refused to sign a formal complaint or cooperate by submitting other pertinent information.

- From former Commissioner Sister Bernadette Giles,congratulating those who contributed towards producing the recent Annual Report of the HRC, and acknowledging with gratitude the special tribute that was paid to her in it. Commissioner Giles resigned in August of 1981 after nearly sixteen years of service to the HRC.

- From Commissioner Richard Sevilla, as Co-Chairperson of the Lesbian/Gay Advisory Committee, to Director Mickins, requesting on behalf of the Committee that he urge at any future regional, national, or international human rights conventions or meetings that attending organizations address the civil and human rights of Lesbians and Gay men.

- From John L. Taylor, Clerk of the Board of Supervisors, a copy of a notice to all City departments, and to three private health plan offices, referring an Ordinance (proposed) to amend the Administrative Code by adding Chapter 46, establishing domestic partnerships. See discussion and HRC action elsewhere in these Minutes.

- From Jeffrey L. Barnickol, San Francisco/San Diego Unit Chief, State Division of Water Quality, State Water Quality, State Water Resources Control Board, a copy of a letter to Donald Birrer, Executive Director, San Francisco Clean Water Program, with copies to others named, responding to Mr. Birrer's June 22, 1982 letter regarding Minority Business Enterprises (MBE) participation in the Clean Water Program, for architectural and engineering (A/E) consultants. Director Mickins stated that this was a negotiation of long standing regarding criticisms that the City has not met MBE goals, but noted that as far as HRC monitoring of its designated area of the Program, the MBE goals have been reached.

- From HRC Commissioner Esta Soler, a November 15, 1982 letter to each member of the HRC notifying that she "will make a motion to rescind the HRC's vote of October 28, 1982" (defeating a motion to endorse the proposed Domestic Partnership Ordinance), and that she would place a motion at the November 18 meeting to consider the amended proposed ordinance. This letter was read in full.

DIRECTOR'S REPORT

- Corporate Counsels/Minority Law Firms Seminar.

Director Mickins has been meeting with a Planning Committee of corporate counsels and minority law associations since June to design and sponsor a seminar to explore ways to increase the utilization of minority lawyers and law firms by corporations in the Bay Area. The Planning Committee has consisted of: Brenda Jackson Drake, Counsel, Legal Department, Bank of America,; Cassandra M. Flipper, Deputy General Counsel, Levi Strauss & Co.; David Hardy, Deputy General Counsel, Foremost-McKesson, Inc.; Benson I Hattem, Affirmative Action Officer, San Francisco Redevelopment Agency; Jaime Pena, President, La Raza National Lawyers Association; D. Craig Nordlund, Assistant Secretary and Corporate Counsel, Hewlett-Packard Company; Paul Fong, Asian Pacific Bar Association; Vernon McGhee, Charles Houston Bar Association, and Director Mickins.

The seminar was held November 4, 1982 at Levi-Strauss World Headquarters in downtown San Francisco. Some 200 minority lawyers and corporate counsels attended plus representatives of the City Attorney's Offices and San Francisco and Alameda. The theme was: How can corporations and large law firms nurture a minority law firm's corporate specialization and capability?

The keynote speaker for the seminar was Kenneth G. Standard, Vice President and Counsel, Briston-Myers Products, and the moderators were David Hardy and D. Craig Norland.

The Friends of the Human Rights Commission acted as a fiscal conduit for raising donations to cover the costs of the seminar.

Mr. Mickins said that approximately one-third of the seminar participants were women.

The Planning Committee has been asked to continue to work in this field, and there has been distributed a comprehensive directory (assembled by the San Francisco Redevelopment Agency) of more than 200 minority (Spanish-speaking, Asian, Black, or Native American)law firms in Northern California, which includes also listings of the Minority Bar Associations. This directory had been compiled by SFRA Affirmative Action Officer Benson I Hattem, whose initiative and genius had sparked this special project.

- HRC "Complaint-Abuse of Process of Criminal Grand Jury"- District Attornev's Office- Status Report.

Mr. Mickins announced that Commissioner Weiner had been very helpful with referral to a law firm, Rogers, Joseph, O'Donnell & Quinn, to act as pro bono counsel to the HRC. Ms. Diane Thompson of the firm has offered to act as advisory counsel to the HRC. However, Mr. Mickins announced that the District Attorney's Office has not at present indicated any further plans to request further information or review from the HRC. All HRC records have been returned by the District Attorney's Office.

- HRC Funding for Affirmative Action Work at the San Francisco International Airport.

The Director has met October 29, with Ken Hammond, Deputy Director of Business and Finance,at the Airport as part of the preliminary budget building review of this funding support for the HRC, and a thorough discussion of the quality of the work the HRC has been doing was held. The closer working relationship between HRC and Airport staff was noted.

- Request from Civil Grand Jury for Testimony by Director Regarding Annual Survey of City Departments.

Director Mickind has been invited to appear before the 1982-83 Civil Grand Jury on Monday, November 29, for discussion of the HRC work and functions as part of the annual Grand Jury review of City Boards, Departments, and Commission. Mr. Martin E. Cardoza is the Grand Jury Foreman.

- Double-O Trucking Company Appeal Hearing Request.

On August 12, 1982, Director Mickins ussued a formal Finding on a Complaint of Non-Compliance filed with the HRC February 15, 1980 by John Jenkins Trucking Company against Double-O Trucking Company and Underground Construction Company, Inc. that Double O (a sub-contractor to Underground) was not a bona fide Minority Business Enterprise. Mr. Mickins found that Double-O Trucking Company was not a bona fide MBE and sustained the Jenkins complaint.

Melvin D. Honowitz, Attorney for Double-O, has now requested an Appeal Hearing before the full HRC.

- Commissioner Weiner offered to reserve the Meeting Room of Congregation Sherith-Israel, California and Webster Streets, for the HRC's meeting of December 9 in order that this Appeal Hearing be held following the regular meeting.

REPORT BY THE CHAIR

- Appointment of Nominating Committee.

Chairperson Lyon named Commissioner Esta Soler as Chairperson, with Commissioner Edwards and Yamakawa as members of the Nominating Committee to make recommendations for the offices of Chairperson and Vice-Chairperson for the HRC for calendar year 1983.

They are to report at the first regular meeting (January 13) in 1983.

- New Commissioner Suncin.

Commissioner George Suncin was welcomed formally to his first meeting. He was appointed in October.

- Statement from Coalition for Human Rights.

Chairperson Lyon read from a formal Statement adopted November 17, by the Coalition for Human Rights, an umbrella organization with representatives from Lesbian, Gay and Bi-Sexual organizations.

The Statement expressed, Chairperson Lyon said, its strong and unamimous support for the proposed Domestic Partnership Ordinance, as well as its "profound dismay that the HRC failed to endorse the Ordinance at its last (October 28) meeting, "and requesting HRC action, to rescind the October 28 action, reconsider and endorse the proposed Ordinance.

STANDING COMMITTEES

ADMINISTRATIVE
Phyllis Lyon, Chairperson

- Management-By-Objectives Report- Gail Roberts.

Ms. Roberts introduced Margaret Kisliuk, Program Consultant, Office of the Mayor, who is liaison to the HRC and to the Commission on the Status of Women, and thanked her for her helpfulness.

The Mayor's Evaluation Letter on the HRC's MBO performance for Fiscal Year1981-82, was part of the Communications section of the HRC Minutes for October 28, 1982. Ms. Roberts explained that Fiscal Year 1981-82 was the first for the HRC's MBO reporting, and that the rough guidelines had been to "start simply, with moderate goals." The HRC has found it helpful, she said, to break down its functions into specific reporting areas.

Part of Mrs. Roberts' presentation utilized three documents provided each Commissioner: A list of Performance Targets for FY 82-83 by quarters for various functions (goals) of the office such as, maintaining nondiscrimination for protected classes in City contracts, and maintaining participation of minorities and women in City contracts.

A second document was a three-page computer printout copy of the HRC"s FY 81-82 Detailed Performance Report (Management by Goals and Obejetives) with Objective Measures and Actual Performance and Targets expressed numerically for separate four quarters and with an annual target stated.

A third document was the annual Program Performance Assessment sheet giving five major HRC Ob ctives for the reporting period Fiscal Year 1981-82, the Performance Assessment, the Explanation, and the Corrective Action Plan.

Mrs. Roberts stated that reviews of MBO performance assessment data are done after six months and after one year.

- Commissioner Soler suggested that breakdowns showing minority/women employment separate the figures into three: women; minorities; and minority women. Mrs. Roberts said that the system can be revised, and noted that the breakdown for minorities and women was done in some areas in the HRC's Annual Report for Fiscal Year 1981-82.

Commissioner Yamakawa urged that a uniform reporting policy mighy be adopted, and

*****the Employment Committee was asked to study such a recommendation as Commissioners Soler and Yamakawa had noted and draft a recommended Policy Statement for the HRC.

EMPLOYMENT
Antonio Grafilo, Esta Soler, Co-Chairpersons
Thomas Ambrogi, Member.

- Co-Chairperson Grafilo announced that the Employment Committee at its last meeting had officially commended and thanked Vicky Rathbone, HRC staff to it for some years, for her expertise and hard work on its behalf.

- Office of Revenue-Sharing Compliance Agreement- Status Report-Frank Anderson, HRC Coordinator, ORS.

Commissioners were provided copies of Mr. Anderson's extensive narrative and statistical report which covers the implementation by the City and County of San Francisco of a Compliance Agreement it signed with the federal Office of Revenue Sharing in June of 1979, after action had been brought by Latinos for Affirmative Action charging the City with noncompliance with the Local Fiscal Assistance Act of 1972. Latinos for Affirmative Action had been attempting to increase the participation of Hispanics in the City workforce, which, at approximately 30,000 (if San Francisco Unified School District employees are included), is the largest source of employment in the City.

The Agreement the City signed in 1979 required it to agree to a massive review and revamping of its selection and promotion procedures, to conduct intensified Hispanic and other minority recruitment, and to make a concerted effort to hire increased numbers of Hispanics and other minorities during the four years of the Agreement.

As a condition of the ORS Agreement, the Board of Supervisors enacted City Ordinance 455-79, which required each City and County department to develop an Affirmative Aciton Plan.

The HRC is mandated in this Ordinance to provide technical assistance to the City departments in developing these affirmative action employment programs, to certify each plan, and to evalute it on affirmative action performance.

Forty-two City department affirmative action plans have been certified by the HRC, through Mr. Anderson, and the report here was the first performance evaluation of departmental plans. The HRC also serves (Mr. Anderson) on a three-person Employment Discrimination Hearing Board (with the Mayor's Office and the Civil Service Commission).

The HRC continues to provide:

- Liaison activities with community groups, Office of the City Attorney, Office of the Mayor, Civil Service Commission, designed to encourage communication, information flow, and program implementation.

- Technical assistance to City departments and officials on affirmative action and equal employment opportunity matters.

- Advice on policy matters relating to the ORS Agreement.

- Counsel in dispute resolution.

Mr. Anderson's report included a number of statistical tables, showing the 1978 and 1981 workforce compositions by occupation categories, for example, broken down by race and by sex, and commenting on the gains or decreases by minority groups and women in the various job classes, such as officials and administrators, professionals, technicians, protective service workers, skilled craft workers, and clerical and office workers.

Other principal narrative sections covered Separations (this is the Civil Service term for persons who are dismissed ("separated") for reasons such as unsatisfactory performance, for example);and Appointments (the Civil Service term for hiring people to City service). Of the 4,774 appointments reported in the period, 644 were Hispanics, for a 13.5% hiring rate. Of the total appointments, 2,847 or approximately 60%, were of minorities.

Mr. Anderson described departmental affirmative action plans and what they were required to include, such as a formal policy statement, designation of responsibility, utilization analysis, goals and timetables, formal affirmative action programs, and auditing and reporting.

The narrative section of his 12-page report conculded with the Performance Evaluation of Departmental Affirmative Action Plans, showing the name of the departments with certified affirmative action plans, and an overall evaluation , ranging from Serious Problems, Poor, Needs Improvement, through Fair Adequate, Good and Very Good.

In contrast to past reports, Mr. Anderson this time said he had made no recommendations or conclusion, because he feels that the problem does not need to be analyzed any further. He said that one of his concerns was that there were expectations that the Compliance Agreement would be the means by which all problems with Hispanic and other minority participation in City employment would be solved, expectations that have not been realized, especially as far as the numerical impact of participation.

Mr. Anderson reminded the HRC it has been deeply involved in the whole field of City workforce participation by minorities since its founding in 1964, long before any legal actions required any formal planning or policy formulation and implementation.

He said that in his extensive review of this long history of HRC work, both by staff and Commissioners, one name, that of Commissioner Rabbi Alvin Fine, stands out. It was Commissioner Fine personally, he said, who was the virtual architect and driving force behind the first and continuing efforts by the HRC to get an affirmative action approach to City employment. It was he who was able to bring both private and public-sector efforts together on the problem.

Mr. Anderson also paid tribute to Yori Wada, a one-time member of the Civil Service Commission, and presently a regent of the University of California.

Mr. Anderson pointed out that his report is not all-inclusive. It does not have data on Gay employment, women employment, disabled employment, recruitment, selection, training, compensation, discipline, or a number of other subjects.

In a subsequent discussion with the members of the HRC, he reported that in making his evaluation of City departments, he had met some resistance, but largely much cooperation. He said that any evaluation below "Fair" was considered in noncompliance, and noted that individual departments had special conditions, such as the Department of Social Services, which experienced a layoff of some 300 persons in 1981-82.

Mayor Feinstein, he said, had recently appeared before the Civil Service Commission, and gave it what she called a "satisfactory" rating, but commended it highly for affirmative action. The City workforce is 48% nonwhites, and 30% women, of all races. The CSC, he said, was urged to apply itself to clearing up the examination backlog , with the Mayor seeking an increase from 225 to 600 per year. The problem is the funding available to CSC to carry out these exams, however.

Mr. Anderson said that the Compliance Agreement has one more year to run, but that there might be an extension. He repeated that the Hispanic partipation in the City workforce still has not been substantially numerically increased.

Mr. Anderson's report goes to the Mayor's Office and the Board of Supervisors, and they are to use it in taking actions to improve those areas identified as being weak in their affirmative action implementation.

Mr. Anderson said, in response to a question, that the City uses self-identification as the means for racial/ethnic identity. Standardized forms are given to all new employees, and there is an approximate 1% error factor in the 24,000-30,000-some employees in the City workforce.

Commissioner Chung brought up the continuing problem of the low representation of all minority groups and women in the ranks of official and administrators (the top City job classifications). Mr. Anderson said many of these positions are exempt from Civil Service regulations, and department heads have free choice as to their hires. He said that the HRC continues to need to be involved in this area.

Commissioner Morrissey inquired about the workforce data and how the labor force was identified, and was told that the San Francisco labor force as determined by the U.S. Census is all persons "available for work" in the general Bay Area from which the Civil Service Commission recruits. By state law (1976 Constitutional Amendment) residency requirements cannot be made by municipalities.

Commissioner Sevilla was told, in response to his comments, that he can obtain detailed information from Mr. Anderson by department on job classes, by sex, ethnicity, etc. Mr. Anderson also sais that departmentsthat are below an acceptable level of affirmative action compliance are monitored and notified that improvement efforts are needed. The HRC has obtained agreements from the departments that still need improvement to make all efforts to correct "need" areas,he said. Many departments have improved since the report was completed in August, as well.

*****Commissioners Yamakawa and Sevilla suggested that the Employment Committee be asked to study and make recommendations regarding what further actions could be taken by the HRC to followup on Commissioner Sevilla;s call for more HRC action on obtaining full "satisfactory" or better performance by all City departments.

It was
*****m/s/c to accept the Office of Revenue Sharing Compliance Agreement Status Report.

- At this point Commissioner Weiner requested that in the interest of time and in order to continue a full complement of Commissioners present, that the proposed Motion to Rescind the HRC action of October 28, 1982 be moved up on the Agenda.

It was

*****m/s/c that this be done.

- Proposed Domestic Partnership Ordinance- Commissioner Soler.

The Lesbian/Gay Advisory Committee recommendation that the HRC endorse this proposed Ordinance was defeated 6 to 5 at the HRC regular meeting October 28, 1982.

Commissioner Soler asked to make an opening statement on why she was asking further action on this issue.

She said that she has learned that the Ordinance now proposed is different in several aspects, based on recent input from community agencies, and from a major health delivery program (Kaiser Hospital). Also, she said, many of the points objected to in earlier HRC discussion have been addressed in reworking the proposed Ordinance.

Further, the Board of Supervisors' Human Services Committee voted October 28, unanimously(Supervisors Molinari, Britt, and Silver) to recommend its passage by the full Board, which will hear and act on it Monday, November 22.

The only Commissioner absent for this discussion was Commissioner Moulton. Commissioner Soler said she had spoken with her that morning, and that Commissioner Moulton said that the rainstorm had damaged her home, keeping her away, but that she would have voted in favor of endorsement of the Domestic Partnership Ordinance as proposed.

Commissioner Soler said that the new version of the proposed Ordinance requires a one-year wait before any domestic partner could become eligible for health benefits, rather than six months as before. She noted that the HRC is designated as the enforcing agency for the Ordinance.

There then began, (after a final statement from Commissioner Soler regarding her intention to move to rescind the October 28 ction), a long discussion by Commissioners on various points and views on the whole issue of the parliamentary procedure involved, and on the merits of the proposed Domestic Partership Ordinance itself.

Director Mickins was asked to read from Robert's Rules of Order on procedure in rescinding an action, which he did.

Commissioner Sevilla stated that in hisopinion the HRC need to nullify its October 28, (rejection of endorsement) action as "inappropriate". He said that he had felt that negative votes earlier had been on matters of principle, not on objectionable portions of the legislation as it read/reads.

After some reactions that the HRC was at that point discussing only the procedural point on rescinding an action, Mr. Mickins read from Robert's Rules of Order regarding actions to reconsider, actions of renewal, and actions to rescind.

- Commissioner Weiner at this point then requested that debate and audience comment be limited to ten minutes.

It was then

*****m/s/c to call the question

*****It was then moved (Soler) and seconded (Sevilla, who requested a roll call tally of votes) that the HRC rescind its October 28, 1982 action whereby a recommendation to endorse the proposed Domestic Partnership Ordinance was defeated 6 to 5. This motion carried 10-4. Ayes: Ambrogi, Edwards, Jung, Lyon, Sevilla, Soler, Suncin, Wade, Weiner, Yamakawa. Noes: Chung, Grafilo, Lee, Morrissey.

- Discussion then opened on Commissioner Soler's motion that the HRC support and endorse the proposed Domestic Partnership Ordinance, Board of Supervisors

File No. 257-82-4.

Commissioner Weiner again requested that debate be limited to ten minutes on Commissioner Soler's motion. He was reminded that a number of people were in the audience in connection with this action, and he said he felt that it was unfair not to have informed Commissioners beforehand that the discussion might be extensive. He noted that the HRC was discussing the concept of and the proposed Ordinance for the fourth time, and said had he known discussion might include speakers from the public, he would not have voted to rescind.

On his motion, and with a second, it was then voted

*****to limit total discussion to ten minutes.

- Commissioner Morrissey then reaffirmed his previously stated (in other HRC meetings) objections to the proposed Ordinance, and asked why it should not include also relationships as mother/son and mother/daughter.

- Commissioner Weiner also reaffirmed his original objections. He said he felt the medical and cost factors were "grossly understated", and said that health providers are "terribly troubled" about what the Ordinance could mean. He said he still found what he called " legal responsibility" troubling, and that for $23 people could set a relationship without any "of the legal matters of responsibility that I feel ought to be there."

Commissioner Weiner also said he was also very troubled by a letter dated November 17 on HRC stationery handed out during this meeting to each member of the HRC from Commissioner Sevilla as Co-Chair of the Lesbian/Gay Advisory Committee. (Please see attachment #1)

Commissioner Weiner said he objected strongly to words such as "insult" and "offensive" in the attached letter, particularly in view that he recently had been commended in writing from the head of the Gay Synagogue of San Francisco for "my rather unique leadership, rabbinically.." on the issue of Jewish Gay rights. He said that in essence, "good people can differ on this issue. It's not a matter of being totally insensitive to Gay rights."

Commissioner Ambrogi echoed the above comments, by saying he, too, took "serious offense" to the tone of the cited letter from the Lesbian/Gay Advisory Committee.. He said he cannot agree that whatever the vote of the HRC it is not supportive of the Gay community. He said, "I must vote against this (the endorsement) for philosophical and theological reasons that I do not hear being discussed in this issue....There are values in the institution called marriage....I am strongly on record as affirming the value of stable homophile relationships." He called the proposed Ordinance "ill-advised", and he called for support "for a new social form" that would give support for "long-standing homophile relationships."

Commissioner Soler, referring, in turn, to her previously-expressed feelings in support of the proposed endorsement of the Ordinance, noted past HRC advocacy for job-training programs, without making an issue of costs involved. She said that costs, in this case, are not the major concern. She called for the HRC to endorse the "standard of the quality of life" and to move to re-define what the family structure is.

Commissioner Sevilla said he wished to state that it was important that the members of the HRC understand that the letter (referred to by Commissioners Ambrogi and Weiner) from the Leasbian/Gay Advisory Committee was adopted after much discussion and that it does represent their point of view. He said he was concerned at the implication that domestic partnerships are irresponsible. He said he saw the proposed Ordinance as a means of rectifying the past creation of a way to prevent some people from receiving full services and benefits.

Commissioner Sevilla asked if members of the audience wished to speak, though only three minutes remained of the time-limit on debate. None did, however, during any of the discussion that followed.

Commissioner Suncin said he was concerned that some of the concerns of Commissioner Moulton had expressed October 28 had not been addressed. Commissioner Soler assured him that in a conversation with Commissioner Moulton that morning by telephone she had been told they had been answered.

Commissioner Wade said she felt she had an obligation to support any measure that would enable people, regardless of how they chose their relationships, to receive health care and benefits.

It was then (with a roll call vote)

*****m/s/c that the HRC support and endorse the proposed Domestic Partnership Ordinance, Board of Supervisors File No. 257-82-4. The vote was 9 to 5 in favor.
Ayes: Chung, Edwards, Jung, Lyon, Sevilla, Soler, Suncin, Wade, Yamakawa.
Noes: Ambrogi, Grafilo, Lee, Morrissey, Weiner.

POLICE LIAISON/SOCIAL ISSUES
Joan Zamora Moulton, Richard Sevilla, Co-Chairpersons
Robert Edwards, Member.

- Report on Mission Community Meeting November 4. Commissioner Sevilla.

A community meeting was held in the Mission at the Mission Language Center on November 4 at 7 p.m. at 2929 19th Street. Commissioner Moulton presided. Community speakers addressed a number of concerns, primarily regarding Police procedures in the area. There were four principal community speakers, and members of the Committee responded to them.

The meeting was covered by the San Francisco Examiner reporter Ms. Mireya Navarro, and by Tiempo Latino. Seven members of the PL/SI Committee, plus Commissioners Moulton, Sevilla and Edwards, were present. Planning and preparation and followup for the meeting were done by Jack Casford, staff to the Committee, and by Eva Viadurri Royale, a San Francisco State University student interne working at the HRC.

Commissioner Sevilla said that the Committee plans to hold other such meetings in other community areas of the City in the near future.

Commander Richard Trueb, head of the Police Internal Operations Bureau, and a permanent member of the Committee, responded to a number of questions, andfollowedup by providing statistics and other data requested about Police operations.

At the request of Commissioner Suncin,

*****Chairperson Lyon referred to the Police Liaison/Social Issues Committee discussion of a possible relationship to an agreement calling for meetings between represnetatives of the Mission community and Mission Police Station staff.

LESBIAN/GAY ADVISORY
Richard Sevilla, David Yamakawa Jr., Co-Chairpersons.

- Committee Report.

The Committee met November 16, to hear discussion, from Kevin Gordon, of the Task Force on Gay/Lesbian Issues of the Commission of Social Justice of the Archdiocese of San Francisco and its report on "Homosexuality and Social Justice." Mr. Gordon said one of the major aims of the report is to "set precedence in the future so the Church will have an opportunity to know there is a working document in which the community has participated" as a guide for more willingness to discuss Gay community concerns prior to taking any action.

He said that Mr. Gordon expressed the view that the Church needs to look into its current perspective on sexual ethnics, being presently limited in regards to the kinds of things the Church will identify.

- There were also representatives from Sexual Minority Youth, the Center for Special Problems in a discussion of the kinds of services being offered youth by the Youth Guidance Center areound the area of sexual minorities. The identification of youth as sexual minorities is increasing, Commissioner Sevilla stated, as is the need for special services for them. One issue addressed was charges of homophobic behavior by some probation staff personnel.

- Mayor's Council on Criminal Justice-Report on Violence in the City. The Committee discussion brought out concern that the newspaper accounts of this report said it had found that there is no overwhelming evidence that Gay groups are more likely to be the victims of violence than other groups. The full report will be published soon and the Committee then will again discuss it.

Commissioner Sevilla stated that the Committee has asked that roll call votes be requested of the HRC in the future for all items that the Lesbian/Gay Advisory Committee brings before it, or which the Commissioners identify as something of concern to the Gay community. The reason, said Commissioner Sevilla, is that the Lesbian/Gay Community wishes to be apprised of the HRC position onvarious issues, not just as a body, but by individual Commissioners. They hope, he said, to report back to the HRC a comparison between the HRC votes and the Lesbian/Gay Advisory Committee recommendations. "There is a sense, "he said," that there are areas where we differ and times we agree and we want to have some sort of measure so people do know how the Lesbian/Gay Advisory Committee feels on a particular motion. I feel this is a very healthy way for the Committee to see how effective its efforts are."

It was

*****m/Yamakawa/s/c that the HRC accept the Lesbian/Gay Advisory Committee report as given by Commissioner Sevilla.

To Commissioner Ambrogi's question if such acceptance meant concurrence with the Committee's request that all of its recommendations require a roll call vote of the Commissioners, the Chairperson and Director said it did not, only that the HRC had hear the report.

CALENDAR MATTERS

- The next regular meeting of the HRC will be the second Thursday, December 9, 1982, at 10:15 a.m. in the Third Floor Commission Room of the Main Library, Civic Center.

STANDING COMMITTEES

Employment	Wednesday, December 1, 1982 9:30 AM 1850 Mission Street
Housing & Urban Development	Tuesday December 7, 1982 3:00 PM HRC Offices Room 509
Lesbian/Gay Advisory	Tuesday, December 21, 1982 Noon Main Library, Third Floor Commission Room Civic Center
Police-Liaison/ Social Issues	Tuesday, November 30, 1982 3:30 PM Room 509 HRC Offices
Youth & Education	Thursday, December 16, 1982 3:30 PM John Adams Community College Center 1860 Hayes Street, Room 136

No Remarks from the Audience

Adjournment

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

GSM:JV:vee

ity and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

November 17, 1982

Commissioners of the
Human Rights Commission
1095 Market Street, Suite 501
San Francisco, California 94103

Dear Commissioners:

The Gay Advisory Committee of the Human Rights Commission, at its meeting of November 16, 1982, unanimously decided to send this letter expressing its strong concern and deep shock at the Human Rights Commission's vote not to endorse the Domestic Partnership Ordinance at its November 4th meeting.

The Lesbian/Gay community has a long history of supporting the Human Rights Commission. This support was strongly evidenced at the recent hearings of the Human Services Committee of the Board of Supervisors concerning the existence of the Gay Advisory Committee. Lesbians and Gay men, as individuals and as representatives of various organizations, not only spoke for the Gay Advisory Committee, but gave testimony applauding the Human Rights Commission. This community, therefore, finds it perplexing and offensive that the Human Rights Commission should apparently withdraw its support of a minority group whose rights they are mandated by law to protect. Such practices are an insult to a minority group which has been consistently denied the same rights as the privileged majority. As single, non-married employees and people, they have had to carry the burden economically and socially of married people's dependents and married people's edicts without question. All they are seeking is the same rights and privileges that is their due as participants in this system.

We urgently request that you rescind your November 4th vote and as Human Rights Commissioners vote positively for the Domestic Partnership ordinance, a nondiscrimination ordinance, on November 18th.

Thank you for your consideration.

Very truly yours,

Richard Sevilla (RS)

Richard Sevilla
Co-Chair
Lesbian/Gay Advisory Committee

RS:JW:gm

SF
HSC
#2
12/9/82

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, December 9, 1982
Commission Room Main Library Civic Center

NEXT MEETING

****
* DATE: Thursday, December 23, 1982 *
* TIME: 10:15 AM *
* PLACE: Third Floor, Commission Room *
* Main Library, Civic Center *
****

DOCUMENTS DEPT.

JAN 11 1983

SAN FRANCISCO
PUBLIC LIBRARY

IF THIS MEETING IS CANCELLED, BECAUSE IT COMES ON THE EVE OF THE CHRISTMAS HOLIDAYS, THE NEXT MEETING WILL BE:

DATE: Thursday, January 13, 1983
TIME: 8:30 AM, to be followed by a luncheon to be provided by Commissioner Jung.

PLACE: First Floor, Meeting Room
Joe Jung's Resataurant
891 Martket Street,at Fifth

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

Attendance

Commissioners

Present: David K. Yamakawa (presiding in absence of Chairperson Lyon, and because the post of Vice-Chairperson had been vacated when Commissioner Obregon resigned and not refilled), Thomas Ambrogi, Robert Edwards, Antonio Grafilo, Joe Jung, John C. Morrissey, Joan Zamora Moulton, Brenda Wade, Martin S. Weiner.

Excused: Samuel Chung, Corrine Lee, Phyllis Lyon, Richard Sevilla, Esta Soler, George Suncin.

Staff

Present: Grant Mickins, Jack Casford, Sid Gloria, Diane Healy, Gail Roberts,Essie Thomas.

Pledge of Allegiance

Minutes of November 18, 1982 approved. See Old Matters Section at the end of these Minutes for discussion initiated by Commissioner Moulton regarding the portion of these Minutes Section the Lesbian/Gay Advisory Committee's announcement November 18, 1982, via Commissioner Sevilla, that it wished a roll-call tally, by name, of votes taken on issues it brought before the HRC.

COMMUNICATIONS

- From Ray Wong, Coordinator, Consent Decree Division, San Francisco Police Department, a form letter inviting applications to be oral board panel members for examinations to select law enforcement officers. This is part of the SFPD's policy of seeking community participation in the selection of potential Police Officers. The criteria were spelled out in the letter and those interested were asked to forward resumes to:

San Francisco Police Department Consent Decree Unit
850 Bryant Street
Room 575-16
San Francisco, Ca. 94103
or to call: 553-1805.

Commissioners Moulton, Grafilo, and Edwards said they would be interested in serving. The next oral examination is scheduled for mid-December.

- From Willie J. Hyman, President, Butte Community Coalition, a copy of letters to U.S. Senator Alan Cranston, and John Van De Kamp, Attorney General-Elect of California, requesting assistance in identifying local Nazi and Ku Klux Klan members in Butte County California.

- From Senator Cranston, a letter to Commissinners Joan Zamora Moulton and Richard Sevilla, Co-Chairpersons of the HRC's Police Liaison/Social Issues Committee, responding to the Committee's April, 1982 letter to David Ilchert, Regional Director of the U.S. Immigration & Naturalization Service, expressing opposition to the Simpson-Mazzoli Immigration Reform Bill, currently before The Congress, especially about the employer sanctions provisions. He said he enclosed a copy of his floor statment on S. 2222 (the Simpson-Mazzoli bill), but no copy came with the original letter.

Commissioners Moulton and Weiner requested copies of this statment, which staff will obtain for them.

- From Rosario Anaya, Executive Director, Mission Language & Vocational School, Inc., extending congratulations to Commissioner Moulton on her recent reappointment to the HRC.

- From Yori Wada, Chairman, United Way of the Bay Area, inviting Chairperson Phyllis Lyon to be the lead volunteer for the HRC in establishing a local public-private partnership project to assess and make recommendations on the problems confronting the elderly.

- From Stanley K. Lim CHAD(Combined Health Agencies Drive) reporting to Director Mickins a total of $435 in donations from 14 donors at the HRC in the 1982 campaign. See Director's Report in these Minutes.

- From Chairperson Phyllis Lyon, to Supervisor Quentin Kopp, President of the Board of Supervisors, reporting formally the HRC endorsement, at its November 18, 1982 regular meeting, of the Domestic Partnership Ordinance.

- From Mayor Dianne Feinstein, a copy of a Memorandum sent to all department heads, chiefs of bureaus, and commission presidents stating the criteria for her selection of aMayor's "Manager of the Year" award to a City Administrator. The award will be announced in December.

- From Vaughn R. Walker, Attorney,with Pillsbury, Madison & Sutro, responding to an HRC letter November 1, 1982 with respect to the Gay Special Olympics issue. The HRC, on recommendation of the Gay Advisory Committee, had approved sending the letter expressing concern with Mr. Walker's position on behalf of the U.S. Olympic Committee, legally seeking to deny the 1982 Gay Games, held in San Francisco, use of the term "Olympics". A complaint had been filed with the HRC.

On inquiry from Commissioner Grafilo, the issue was re-referred to the Lesbian/Gay Advisory Committee.

- From Melvin D. Honowitz, Attorney, of Coffman, Honowitz & Sautter, requesting a date in January, 1983, for the appeal hearing requested by Jenkins Trucking v. Double-O Trucking. See Calendar Matters. The appeal hearing was set for January 27, following the regular meeting of the HRC, which will begin at 8:30 AM, in the First Floor, Meeting Room of Congregation Sherith-Israel, California & Webster Streets.

DIRECTOR'S REPORT

- Charity Drives at the HRC Office.

See Communications section of these Minutes. Stanley K. Lim, of the HRC staff, reported to Director Mickins that the Combined Health Agencies Drive (CHAD) neeted $435 from 14 donors.

Donald Hesse, also of the HRC staff, headed the United Way of the Bay Area Drive, and reported $2,000 in pledges/donations from 27 staff and 5 Commissioners. This amount exceeded the HRC Goal by six fold.

- HRC Conferred Jurisdiction in investigating Redevelopment Agency Complaints.

The ordinance (File 369-82-2) amending the City Administrative Code granting the Human Rights Commission jurisdiction in handling complaints of discrimination (falling under the protected classes in Chapter 12A) involving the San Francisco Redevelopment Agency received a "do-pass" from the Human Services Committee and was passed by the full Board of Supervisors on its First Reading December 6, 1982. The Redevelopment Agency earlier had passed a formal resolution agreeing to submit to HRC jurisdiction. Formerly, because the Agency is a state-mandated body, the HRC had not had this authority.

- To Commissioner Morrissey's inquiry, Director Mickins reported that the meausre as passed contains no provision for support staffing to carry out these new obligations, and said he would discuss this with the Mayor when budget talks open in January, 1983. It is not yet known what workload volume would develop from this new responsibility.

- Intergroup Tensions Hearing Requested.

Supervisor Dolson as part of a Resolution on the Redevelopment Agency, before the November election had requested that the Human Rights Commission conduct public hearings to determine the level of intergroup tensions in the City as a reflection of current economic conditions. Director Mickins was advised of this request by the Mayor's Office recently. He said he has not yet received a copy of the Resolution upon which Supervisor Dolson's request is based.

It was noted that the HRC Police Liaison/Social Issues Committee held one community meeting to hear concerns in the Mission November 4, and that it currently is planning one for Chinatown, tentatively set for February 1.

Director Mickins said the Mayor's Office has asked whether the Dolson-requested hearings might be a function of the Intergroup Clearinghouse, but he stressed that the HRC's mandate states specifically that only HRC can conduct public hearings to deal with intergroup tensions. He noted that the Clearinghouse usually mediates disputes.

Commissioner Moulton said that any subsequent public hearings, such as those requested by Supervisor Dolson, should come to the PL/SI Committee, and not the Intergroup Clearinghouse.

This openedcommentary, from Commissioners Ambrogi, Moulton, and Grafilo calling for definitions of the Mandate of the Intergroup Clearinghouse, its relationship to the HRC, and so forht. Mr. Mickins said that Ms. Pansy Ponzio-Waller, of the HRC staff, has worked long and hard to assist the Clearinghouse by currently finishing the draft of the Clearinghouse proposal application for funding to the San Francisco Foundaiton in which its function is being clearly spelled out. Copies of this proposal will soon be distributed to all members of the HRC, Mr. Mickins said.

Commissioner Moulton said that some members of the Latino community see the Clearinghouse as one of the StandingCommittees of the HRC. She said she felt very strongly that the Clearinghouse activities not handle issues that are mandated to the Police Liaison/Social Issues Committee.

********Director Mickins responded further by saying after the Clearinghouse funding proposal spelling out the organization, operation, function, and mandate of the Clearinghouse has been distributed, discussion can be scheduled for HRC possibly at the next meeting ofthe HRC (January 13).

- Prospective Resolution Requesting Hearings on Past Discrimination Against Minority/Women Business Enterprises.

Director Mickins was informed in meeting December 8 in the City Attorney's Office with Supervisor Doris Ward and others that on December 13 she will intorduce a resolution to the Board of Supervisors that will request the HRC to hold public hearings and make recommendations on evidence of past discrimination against minority business enterprises in the awarding of City contracts for construction, procurement, and professional services. These hearings became a legal necessity under State nad Federal law that in order to establish affirmative action guidlines via an MBE/WBE program, there must be evidence of past discrimination taken by a public body through public hearings.

It is hoped that these Formal public hearings to be carried out by the HRC will be completed byMarch 1, 1983, Mr. Mickins said. It will require much work by HRC members and staff, he noted.

- Appeal Hearing in Jenkins Trucking v. Double-O Trucking.

See Calendar Matters. This Appeal Hearing will follow the HRC regular meeting January 27, which will begin at 8:30 AM in the First Floor, Meeting Room of Congregation Sherith-Israel, California and Webster Streets.

STANDING COMMITTEES

YOUTH & EDUCATION COMMITTEE
Brenda Wade/Rabbi Martin S. Weiner, Co-Chairpersons

- Operation of Raoul Wallenberg High School-James Kearney, Principal.

Commissioner Weiner.

The Committee heard a full presentation and discussion by Mr. Kearny at its November 18 regular meeting on the operation, since the Spring of 1981, of what is called, formally, Wallenberg Traditional High School. (Raoul Wallenberg is a Swedish diplomat who interceded with Nazi officials late in World War II in Hungary and saved thousands of Jews in that country from deportation and death. He disappeared after the Russian occupation of Hungary in 1945 and is an international figure because of beliefs that he is still alive in imprisonment.)

The school is a non-districted, college preparatory high school open to all secondary students in San Francisco as an alternative to the comprehensive district high school. Some 500 parents and students attended summer meetings in 1981 and an enrollment of 350-400 was set for the beginning ninth and tenth grades. A junior year was added in the Fall of 1982 and a senior year will be added in the Fall of 1983.

Wallenberg offers a college preparatory curriculum within an academic atmosphere organized and supervised in a traditional manner. This includes a dress code (applicable to both students and faculty); and an honor system ; mandatory attendance by students and parents at night meetings; emphasis on"the highest possible proficiency in all subjects,"; "emphasis on traditions of (the) country, state and city;" homework assigned in each academic subject, at every grade level, on a regular basis; letter grades at six-week intervals; a closed campus; etc. Each parent and student signs a Notice of Committment to Wallenberg Traditional High Shcool which includes the above and other requirements of the school. Commissioners were provided with samples of application forms, worksheets for the various grades listing required subjects (e.g. every ninth grader must take English, Algebra, World Geography, French or Spanish, Physical Education and one Elective-typing, vocal, band orchestra, or art-), and the Notice of Committment all must be sign ..

Admission is conducted by lottery, and Commissioner Weiner said that attendance was about 99%, and often is 100% for daily class. Each class presently has some 215 pupils.

The ethnic makeup, he said via the lottery method of selecting the applicants, has nearly approximated the ethnic balance used by the School District for its integration program. The breakdown as of October 15, 1982, with 523 students was:

Spanish=surname (this is the designation used by the District)-12%

Other White -- 39%

Black--------16.5%

Chinese------18.3%

Japanese------3.2%

Korean--------1.1%

Filipino------3.8%

American Indian-----1 student

Other Non-White----- 5.9%

There is a tutorial program. Academic standards are high, and if a student receives two F grades at the end of the first semester, he/she is put on academic probation, and receives extra help, but if any additional F's are received, the student must be reassigned to another school.

Commissioner Weiner said the Committee was most impressed by the presentation on Wallenberg. He said that the School District recently has been receiving recognition for the high quality of its program offerings, one of which is Wallenberg.

The Committee's next meeting (December 16) is to hear presentations on the Performing Arts School-Dan Ryan, Principal, and the International Studies Academy, Dr. Armand Magid, Principal.

On January 20, the Committee will hear a presentation on the Current Service Delivery for Status Offenders, including discussion of a Proposed Service Delivery Model for Status Offenders (Mayor's Council on Criminal Justice Plan). Judge Harry W. Low, Presiding Judge of Juvenile Court, Joseph J. Botka, Chief Probation Officer, San Francisco Youth Guidance Center, and Ms. Marilyn Borovoy, Chairperson, Youth Service Task Force, have been scheduled to lead the presentations.

EMPLOYMENT
Antonio Grafilo/Esta Soler, Co-Chairpersons

- Current Status of Federally-Funded Job Training Programs in San Francisco, Including Comprehensive Employment Training Act (CETA) and the Private Industry Council- Raymond R. Holland, Assistant Director, Mayor's Office of Employment & Training.

Director Mickins noted that the HRC has been in the forefront for years in job training programs in the City under federal and State grants in years past. The HRC Director formerly was an ex officio member of the CETA Employment Training Council, until its reorganization about two and one-half years ago.

Mr. Holland has been in his present position some eight years, and, Mr. Mickins praised him as "one of the most knowledgeable people in the field today."

The Director of the Mayor's Office of Employment and Training is Eunice Elton.

The HRC's Employment Committee heard Mr. Courtney Valentine, staff to the Private Industry Council, give a presentation on the federally-funded job training programs at its December 2 regular meeting.

Mr. Holland said that the CETA program has had two primary functions:

1. Job creation,(which also provided wage subsidies)through federal funds (Mr. Holland's remarks here were drowned out by fire sirens for approximately two minutes)

2. Job training (basic skills, occupational skills, basic educational skills) and job placement, where possible, but with no wage subsidies.

The job creation function ended in 1980. But the job training function, despite 50% cuts in each of the last two years, is"flourishing", though with a total operating budget of $10 million, down from its peak of $20 million.

Figures from the Mayor's Office of Employment and Training for CETA in the 1982 Fiscal Year were provided each Commissioner. See Attachment #1 for these figures. They show that 7,083 persons were part of CETA programs, for example, excluding the 3,425 persons who participated in the Summer Youth Employment Program.

The CETA program was extended one year beyond its planned September 30, 1982 cutoff date as part of the Administration's Job Training Partnership Act, Mr. Holland said. Formerly, cities were granted job training monies directly, but under the new legislation, federal money will be distributed by formula to state governors, and within the states by another formula to local administrators. He said that San Francisco has been assured that the base appropriation is in Washington, it will get its "formula". Under JTPA, however, governors in each state will be required to identify what is known as "service delivery areas." These are supposed to approximate what is called the "labor market areas." In San Francisco's case it covers an area from Santa Rosa in the north, to Santa Cruz in the south. California's governor-elect will make this designation. There is the possibility that San Francisco could remain a separate service delivery area.

Once the monies are granted to local jurisdictions, Mr. Holland went on, the JTPA requires re-appointment of the Private Industry Council, made up of chief executive officers, presidents of companies, or persons with policy or budget control. This Council was re-constituted by the Mayor in this area this Fall. Mr. Holland named some of the persons and the corporations they represent on the present Council. They included Foremost-McKesson, Chevron, etc. San Francisco Supervisor Willie B. Kennedy' (formerly a member of the HRC) is a member.

Community organizations such as Arriba Juntos also are represented.

Presuming San Francisco is named by the new California Governor as the service delivery area, then the Board of Supervisors and the Mayor must negotiate a compact to define certain responsibilities. The legislation, Mr. Holland said, does not make any "pre-designation" as to who will have these responsibilities, i.e., who will be the technical recipient of the federal monies, and which of two or perhaps three organizations will be the administrative agency for them.

Currently, Mr. Holland reported, CETA has between $6 million and 8 million out to some 35 subcontractors serving between 2,000 and 3,000 persons. The 1983 Summer Youth Employment Program is being planned.

And the CETA program is awaiting whatever legislation may come either from the Democratic leadership or the Administration in The Congress in the present lame-duck Session regarding public works or other kinds of job bills.

Mr. Holland stressed that the two functions of CETA, job creation (which was ended by the Reagan Administration), and job training (which continues)were two separate functions.

Mr. Holland responded to a number of questions and comments from members of the HRC. Commissioner Grafilo wished to be informed about the representation on the Private Industry Council, specifically ethnic representation. Mr. Holland said, in part, that the local business sector must make recommendations to the Mayor for appointments to the Council, and that "local business sector" means largely, the San Francisco Chamber of Commerce. They are, he said, people who can provide informed judgment on where job opportunities are in the community. He stressed that the authority for carrying out job training programs now is split between the City and the Council, and that there still is no indication of which will ultimately administer the federal monies for these programs under the replacement legislation, the Job Training Partnership Act.

In the exchange of comments, Mr. Holland also made the point that the definition of the group (of the labor market) with the greatest need is changing. That is, with the currently historically high unemployment rate, particularly in the construction industry, the jobless are increasingly those already well-trained in job skills. He called for planning to balance the supply of skilled labor for years ahead, and deplored the over-saturation of the job market in some occupations.

Asked by Commissioner Ambrogi what role he would urge the HRC to assume in this picture, Mr. Holland said that continuing unemployment and the vastly-changed job training support situation, that intergroup tensions are bound to be exacerbated, and that the HRC could continue to promote the creation of more jobs by the private sector, since government-subsidized jobs are fewer and fewer. He said that there needs to be more innovation in both the public and private sectors in programs to deal with the overall economic helath of the community.

Commissioner Yamakawa, commenting after Mr. Holland's presentation, said that he had noted his high level of competency for many years and expressed his commendation for Mr. Holland's having remained in the public employment sector for these recent years.

OLD MATTERS

- Lesbian/Gay Advisory Committtee Request for Roll-Call Votes-Commissioner Moulton:

At the HRC regular meeting of November 18, 1982, (as carried in the Minutes for that meeting, on Page 11), Commissioner Sevilla stated that, "the Committee has asked that roll call votes be requested of the HRC in the future for all items that it brings before it, or which the Commissioners identify as something of concern to the Gay Community. The reason, (said Commissioner Sevilla), is that the Lesbian/Gay Community wishes to be apprised of the HRC position on various issues, not just as a body, but by individual Commissioners . They hope, he said, to report back to the HRC a comparison between the HRC votes and the Lsebian/Gay Advisory Committee recommendations. 'There is a sense," he said, 'that there are areas where we differ and times we agree and we want to have some sort of measure so people do know how the Lesbian/Gay Advisory Committee feels on a particular motion. I feel this is a very healthy way for the Committee to see how effective its efforts are.' "

Commissioner Moulton addressed herself to the above excerpt, saying that she felt it set a bad precedent for the HRC to adopt as policy, and that she had grave reservations of the concept of requiring roll-call votes on Lesbian/Gay Advisory Committee issues.

Her reservations were echoed in statments made by Commissioners Grafilo, Ambrogi, and Weiner. It was noted that Chairperson Lyon, Commissioner Sevilla, who is Chairperson of the L/GAC, and Jackie Winnow, the Committee staff, were unable to be present at this meeting to react to the statments, since they were at the press conference the Mayor was holding at that same time to announce her veto of the Domestic Partnership Ordinance.

*****It was decided that the roll-call vote request issue as stated by Commissioner Sevilla on behalf of the Lesbian/Gay Advisory Committee be an agenda item for full HRC discussion at its first meeting in February, Thursday, February 10, which will be in the Third Floor Commission Room of the Main Library. An initial suggestion that it be on the HRC agenda in January was changed at the personal request of Commissioner Weiner, who will be on sabbatical during most of January.

CALENDAR MATTERS

- The next scheduled regular meeting of the HRC is Thursday, December 23, 1982, at 10:15 AM in the Third Floor Commission Room of the Main Library If that meeting is caneelled, as it most likely will be because of its being the eve of the Christmas holiday, the next regular meeting will be Thursday, January 13, 1983 at 8:30 Am in the First Floor, Dining Room of Commissioner Joe Jung's Restaurant at Fifth and Market Streets, followed by luncheon as guests of the Commissioner.

- An Appeal Hearing will be conducted Thursday, January 27, 1983 following the regular meeting of the HRC which will be in the First Floor Meeting Room at Congregation Sherith Israel, at California & Webster Streets. Parking is at a garage at Clay & Webster Streets. This Appeal Hearing is for Jenkins Trucking v. Double-O Trucking.

REMARKS FROM THE AUDIENCE

- Ms. Eva Cortez and Ms. Angelica Fonseca, Asian-American studies students at San Francisco State University, thanked the HRC for being able to observe its work as part of a school assignment.

STANDING COMMITTEES

Employment	Thursday, January 6, 1983 9:30 AM 1850 Mission Street
Housing & Urban Development	Tuesday, December 14, 1982 3PM HRC Offices, Room 509
Lesbain/Gay Advisory	Tuesday, December 21, 1982 Noon Main Library, Third Floor Commission Room Civic Center
Police Liaison/ Social Issues	Tuesday, January 11, 1983 3:30 PM HRC Offices, Room 509
Youth & Education	Thursday, December 16, 1982 3:30 PM John Adams Community College Center 1860 Hayes Street, Room 136

Adjournment

Respectfully submitted,

Attachment

Grant S. Mickins
via Jack Casford

City and County of San Francisco Mayor's Office of Employment & Training

San Francisco 1982 Program under the Comprehensive Employment and Training Program

In the fiscal year which ended in September 1982, 7,083 persons were part of CETA programs. Excluding the Summer Youth Employment Program 3,425 persons participated.

Of the total 7,083:

48% were males
57% were 18 or under (25%, excluding SYEP)
74% were 21 or under (46%, excluding SYEP)
36% were Black, 20% Hispanic, and 34% Asian
8% were handicapped, and 6% identified ex-offenders
36% were members of families receiving public assistance
Approximately 3,550 were in work experience programs not primarily directed to job placement.

Of all of the 7,083 CETA participants,

1,707 were placed in unsubsidized jobs after receiving CETA services.
47% were males.

51% of those placed in jobs were 22-24 years old.
24% of those placed in jobs were Black
25% of those placed in jobs were Hispanic, and 40% Asian
20% of the persons placed were from families receiving public assistance
89% of the job placements were in the private sector
4% of persons placed were veterans, and 8% identified ex-offenders
28% of person placed had less than 12 years of education at time of enrollment.

CETA participants were placed in 274 occupational fields. Occupationally-specific training was given in 78 of these fields.

Expenditures were just under $12 Million

(415)558-2922 1748 Market Street San Francisco, Ca. 94102